

**Community Board Ten Board Meeting Attendance**  
**Meeting Held on Zoom Platform – Livestreamed on YouTube**  
**Monday, June 21, 2021**

**Board Members Present:(36)**

Jonathan Bova  
Jaynemarie Capetanakis  
Shirley Chin  
Judith M. Collins  
Doris Cruz  
Richard Day  
Chris Elisson  
Ann Falutico  
Carmen Feliciano  
Preston Ferraiuolo  
Michael Festa  
Senja Frangipani  
Barbara Germack  
Ruth Greenfield-Masyr  
Judith Grimaldi  
Stephen Harrison  
Daniel Hetteix  
Habib Joudeh  
Stella Kokolis  
Marty Lentz  
Wai Ging Leo  
Nikolaos Leonardos  
Ryan Mahoney  
Anthony Marino  
Nicholas Massab  
Iris Mulé  
Robert Oliva  
Dean Rasinya  
Joseph Sokoloski  
Lawrence Stelter  
Henry Stewart  
Julie Thum  
Sandy Vallas  
Barbara Vellucci  
Lori Willis  
Michael Xie

**Excused:(10)**

Tracie Britton  
Dianne Gounardes  
Justin Hyatt  
Jill Infantolino-Hajjar  
June Johnson  
Stephanie Simone-Mahaney  
Essa Masoud  
Dr. Husam Rimawi  
Jana Taoube  
Edward Yoo

**Absent:(1)**

John Heffernan

**AMENDED AGENDA  
COMMUNITY BOARD 10 GENERAL MEETING**

**June 21, 2021; 7:00 pm**

**Via Zoom**

**YouTube Livestream:** <https://www.youtube.com/channel/UCPueX4MsL5dhnFZ-wqDwvKw>

**PLEDGE OF ALLEGIANCE**

**Honor of the Pledge  
Michael Devigne  
Outgoing Board Member**

**ADOPTION OF AGENDA**

**ADOPTION OF MINUTES**

**May 17, 2021 Board Meeting**

**PUBLIC SESSION**

**(Limited to a maximum of ten minutes in total)**

**CHAIR'S REPORT**

**DISTRICT MANAGER'S REPORT**

**TREASURER'S REPORT**

**COMMITTEE REPORTS**

**POLICE AND PUBLIC SAFETY COMMITTEE**

**Update on review of noise complaints and SLA  
License Renewal at Baci Ristorante, 8420-8424 3<sup>rd</sup> Avenue**

**Committee Report and Recommendation  
Discussion and Vote**

**New SLA Wine/Beer/Cider license at Cavatappi  
Inc., 8024 13<sup>th</sup> Avenue**

**Committee Report and Recommendation  
Discussion and Vote**

**New SLA Liquor/Wine/Beer/Cider license at Jonathan  
Choy, 6508-6510 11<sup>th</sup> Avenue**

**Committee Report and Recommendation  
Discussion and Vote**

**TRAFFIC AND TRANSPORTATION COMMITTEE**

**Street Naming Request – Ralph Schiano's Corner,  
92<sup>nd</sup> Street and 3<sup>rd</sup> Avenue, southwest corner**

**Committee Report and Recommendation  
Discussion and Vote**

**Neighborhood Loading Zones Update**

**Informational Report**

**Owls Head Greenway Connector Update**

**Informational Report**

## **ZONING AND LAND USE COMMITTEE**

**Proposal for historic district designation by  
74<sup>th</sup> Street 400 Block Association**

**Committee Report and Recommendation  
Discussion and Vote**

**NYC Dept. of City Planning proposed  
Citywide Hotel Text Amendment**

**Committee Report and Recommendation  
Discussion and Vote**

**NYC Dept. of City Planning proposed  
Citywide Health and Fitness Zoning Text  
Amendment**

**Committee Report and Recommendation  
Discussion and Vote**

## **PARKS COMMITTEE**

**Update on presentation of design plan by Parks  
Dept. Representatives for reconstruction of  
Russell Pedersen Playground**

**Committee Report and Recommendation  
Discussion and Vote**

## **NOMINATING COMMITTEE**

**Nominations for Officer positions for  
Fiscal Year 2022, July 1, 2021 – June 30,  
2022**

**Secretary to cast one vote in affirmation  
of the slate brought forth by the  
Nominating Committee at the May 17,  
2021 Board Meeting**

**OLD BUSINESS**

**NEW BUSINESS**

**ADJOURN**

## COMMUNITY BOARD TEN GENERAL BOARD MEETING MINUTES

JUNE 21, 2021 – LIVESTREAM LINK BELOW

<https://www.youtube.com/watch?v=P5eTqoOWCY8>

Chair Willis called the meeting to order at 7:00 PM and invited outgoing Board Member Michael Devigne to lead the Honor of the Pledge. Chair Willis thanked BM Devigne for his contributions to the Board since his appointment in 2018. She is sad to see him part ways with Community Board Ten. BM Devigne thanked the Board. He mentioned that he enjoyed serving and stated that it was an amazing experience. He expressed that he was a proud to be part of the community and that he will miss everyone. Chair Willis wished him good luck transitioning to his new home in Philadelphia.

Chair Willis requested a moment of silence in memory of Susan J. Pulaski, Community Board Ten Board Member. She stated that Susan was a dedicated Board Member until the very end. Chair Willis shared that when she became a Board Member, Susan was the Police and Public Safety Committee Chair. Chair Willis articulated with sadness that Susan will be missed tremendously.

Chair Willis asked for a motion from the floor to adopt the Agenda. Motion by BM Sokoloski, second by BM Thum. All in favor. Motion carried.

Chair Willis asked for a motion from the floor to adopt the Minutes from the May 17, 2021 General Board Meeting. Motion by BM Rasinya, second by BM Grimaldi. All in favor. Motion carried.

### PUBLIC SESSION

Edward Cerna, Brooklyn Borough Director for Mayor de Blasio greeted the audience and announced that the COVID-19 vaccine has been administered to over nine million individuals in NYC. He stated that anyone interested in receiving the COVID-19 vaccine should go online at [vax4nyc.nyc.gov](http://vax4nyc.nyc.gov) or call the hotline at 877-VAX-4-NYC. He pointed out that ranked-choice voting will commence for the first time on June 22, 2021 and encouraged the all in the audience to vote. Mr. Cerna stated that today Mayor de Blasio announced that forty percent of small businesses are still closed, and he launched a new QuickStart program to help would-be entrepreneurs start small businesses in NYC as the recovery from COVID-19 takes hold. He stated that there are three different levels of requirements for this program and for more information visit <https://www1.nyc.gov/nycbusiness/> or call 800-SBS-4NYC. He stated that the crime stoppers hotline is available for anyone who witnessed a crime and noted that if the information provided leads to an arrest the reward is being increased from \$2,500. to \$3,500. Mr. Cerna shared his email [ECerna@cityhall.nyc.gov](mailto:ECerna@cityhall.nyc.gov) and thanked the audience.

Donald DeRosa from Comptroller Scott Stringer's office greeted the audience. He mentioned that currently he has no updates and wished the audience a wonderful summer.

Nancy Lulu, representing Brooklyn District Attorney Eric Gonzalez greeted the audience and shared some announcements on behalf of the District Attorney. She shared that on May 19, 2021 the Brooklyn District Attorney spent some time in Bay Ridge with Met Council and Catholic Charities as well as State Senator Gounardes to battle hate and hunger in New York at the Hate Has No Home food distribution event. She stated that on May 25, 2021 Brooklyn District Attorney Eric Gonzalez announced a community-led safety initiative with the 67 Precinct Clergy Council, the GodSquad, and neighboring Clergy Councils to restrain gun violence in Brooklyn. Ms. Lulu voiced that when working together with public members, the NYPD and faith leaders, the District Attorney's Office and Clergy Councils will endeavor to provide support and guidance to at-risk youth and offer assistance in several high-crime precincts to strengthen trust between communities and law enforcement as part of a holistic approach to reducing crime and breaking the recurring cycle of violence and criminal justice involvement. She noted that June is national gun violence awareness month. Their office is pursuing a multi-tiered policy to keep our community safe from gun violence. She mentioned that the Brooklyn District Attorney's Action Center can be contacted via phone at 718-250-2340 for anyone who has an inquiry or wants to file a complaint and shared her email, [lulun@brooklynda.org](mailto:lulun@brooklynda.org). Ms. Lulu thanked Community Board Ten for allowing her to speak and thanked the audience for their time.

Assemblyman Michael Tannousis greeted the audience. He noted that staff member Basil Capetanakis and Chief of Staff Hanane Dbajat are also attending this meeting. He stated that last week they completed the legislative session adding that he has strived to make constituent services the hallmark of his office during the first six months. He mentioned that if any constituent had concerns, his office can be contacted at 718-987-0197. Assemblyman Tannousis wished the audience a happy, healthy, and safe summer.

David Nussbaum representing Department of Buildings greeted the audience and spoke about Local Law 152 and stated this information can also be found on the DOB website at <https://www1.nyc.gov/site/buildings/index.page>. He announced the deadline for inspection of Local Law 152 Gas Piping Systems in Community Board 10 is June 30, 2021 adding that the gas piping systems must be inspected by a licensed plumber. He expressed the importance of following manufacturer's guidelines when installing an air conditioner / cooling system adding that if the manual is not available at the time of installation it can be found on the manufacture's website. Mr. Nussbaum wished the audience a happy and healthy summer.

Francois Jeanty, Chief of Staff for Assemblywoman Mathylde Frontus greeted the audience on behalf of himself and the Assemblywoman. He stated that recently they held a job fair where more than ten individuals had interviews scheduled right then and there. He informed the audience that there will be more upcoming job fairs and provided his email in the chat. He announced they had an award ceremony for Men of Service where they honored some pillars in the Bay Ridge community for their services. He mentioned that they plan on visiting senior centers and noted that the Assemblywoman was excited to see places reopening with safety measures. Mr. Jeanty announced that their office is on 93<sup>rd</sup> Street and 3<sup>rd</sup> Avenue and if anyone had concerns to please reach out. Mr. Jeanty thanked the audience.

Jane Duong, District Director for State Senator Andrew Gounardes greeted the audience. She noted that the Legislature passed the SLEEP Act to ban loud vehicles. She announced the Senator's upcoming events and noted more information can be found on their website. Ms. Duong shared her email in the chat and thanked the audience.

Aidan Stronggreen representing Congresswoman Nicole Malliotakis introduced himself and greeted the audience. He stated that their office is located at 7716 3<sup>rd</sup> Avenue and open to the public Monday through Friday. Mr. Stronggreen provided his email in the chat and thanked the audience.

Morris Denmark, Branch Manager for Brooklyn Public Library Fort Hamilton branch, greeted the audience. He announced that after the Fourth of July all Brooklyn Public Libraries will resume seating in their branches. He noted that the Fort Hamilton branch is now open six days a week and stated that the hours of operation had changed to Monday, Wednesday, and Friday from 10:00 am – 6:00 pm, Tuesday from 1:00 pm – 8:00 pm, Thursday from 10:00 am – 8:00 pm, and Saturday from 10:00 am – 5:00 pm. Mr. Denmark provided the new hours in the chat and wished the audience a happy summer.

Richard Day, representing the Department of Sanitation, greeted the audience and spoke about the curbside composting program. He explained how the program allowed over 3.5 million New Yorkers to recycle their food scraps and yard waste and turn them into compost and clean energy by using the brown bins collected curbside. He went on to say the Department of Sanitation will resume its Curbside Composting Program, which had been put on hold due to budgetary impact of the COVID-19 pandemic. He mentioned that the enrollment process will launch in August, with collection services to commence in October. BM Day noted that the enrollment process will be set up differently and stated that anyone interested in participating would need to fill out a form online or by contacting 311. The online form will not be available until August but anyone who is interested in signing up should go to [www.nyc.gov/curbsidecomposting](http://www.nyc.gov/curbsidecomposting) and sign up to be notified when the form becomes available. He added that the program would expand as more people sign up. BM Day shared his email, [rday@dsny.nyc.gov](mailto:rday@dsny.nyc.gov) and thanked the audience. BM Falutico asked if the entirety Community District Ten is eligible for the program. BM Day responded that anyone who receives collection from the Department of Sanitation is eligible for the program. He explained that commercial businesses are not eligible because they use private carting companies.

Florence Diaz resident of Bay Ridge, Brooklyn greeted the audience. She pointed out that she had spoken to Community Board Ten's District Manager Josephine Beckmann on Friday, June 18, 2021 regarding her concerns after her experience of outdoor dining at Zio Toto located at 8407 3<sup>rd</sup> Avenue the prior evening. She stated that for the three and a half hours she was at Zio Toto she witnessed no police officers monitoring the area for traffic congestion, noise, and pedestrian safety. She mentioned that this area is extremely busy and needs to be monitored more frequently, especially during the summer months. Ms. Diaz noted that she fears for public safety and asked the Board if there will be police officers frequently overseeing these

busy streets in Bay Ridge, Brooklyn. Chair Willis voiced that this is a great topic of discussion for the upcoming days regarding the rules and regulations of the Open Restaurants Program which is currently being sorted out by the Department of Transportation. Chair Willis asked DM Beckmann if she could reach out to the 68 Precinct asking for police vehicles to repeatedly monitor Third Avenue. DM Beckmann replied that she would.

Wenting Chen resident of Bay Ridge, Brooklyn greeted the audience. She announced that approximately two hundred thousand people had died in the United States due to the COVID-19 pandemic. She expressed to the audience that she believes there should be vacant hotels where frontline workers can go after being diagnosed with the coronavirus. She stated that the hotels should have a 900P filter which she noted is good filter for improving indoor air quality for people with the coronavirus. She voiced that based on the research she is aware of fans should be blowing outside to create a low-pressure environment so that the people inside could be safe. Ms. Chen suggested that hotels should have at least seventy percent or more alcohol supplies available if needed. She spoke about the seven types of variants currently going on globally and pointed out that the public should prepare themselves and not only rely on the COVID-19 vaccine, mentioning that she based her comments on research from Hong Kong University. Ms. Chen thanked the audience.

Karla Puli resident of Bay Ridge, Brooklyn greeted the audience. She noted that she attended the Police and Public Safety Committee meeting on June 15, 2021 where she voiced her concerns regarding the continuous noise emanating from Baci Ristorante at 8424 3rd Avenue. Mrs. Puli pointed out that her newborn and her young child are often woken up from the loud music playing at this establishment as well as her husband not being able to sleep after working all day. She noted that she tried to rectify this issue with the owner and/or manager by going to the establishment and speaking with them adding that that they lowered the volume but only for a few minutes and then the loud music would resume. She pointed out that the loud music is played frequently until 2:00 am to 3:00 am and is seeking help from the Board. Chair Willis thanked Ms. Puli for notifying the Board and stated that the Board will be following up with this matter.

Peter Pumpkin, a Bay Ridge resident, shared that the owner of Baci Ristorante at 8424 3rd Avenue has total disregard for the quality of life of nearby residents, 68 Precinct recommendations and Community Board Ten's Stipulation Agreement regarding outdoor speakers and playing loud music. He noted that he has made several 311 complaints for noise since August of 2019. In December of 2019 at a Community Board Ten meeting the owner of Baci Ristorante was informed to remove the outdoor speakers that were installed on their exterior walls and operating against the Community Board Ten's Stipulation Agreement which states "there will be no outdoor music." He also pointed out that recently the owner of Baci Ristorante had reinstalled the speakers in the outdoor dining area making the quality of life for nearby residents unbearable. Mr. Pumpkin shared that there was a Police and Public Safety Committee webinar held on June 15, 2021 where the audience was informed that there had been numerous noise complaints filed with 311. He stated only two days after the webinar Baci Ristorante had a party with loud DJ music. He suggested that Baci Ristorante be prohibited from having an audio system and is seeking help from Community Board Ten. Chair Willis thanked Mr. Pumpkin for sharing his concerns.

Eileen Loughlin resident of Bay Ridge, Brooklyn stated that she was dining outside at Zio Toto located at 8407 3rd Avenue on Thursday, June 17, 2021 where she witnessed a convertible playing loud music from their vehicle causing a buzzing sound and one motorcyclist cutting off another motorcyclist and arguing right behind her. She also noted that when she went back to Zio Toto on Saturday, June 19, 2021 she witnessed loud gunfire like sounds coming from vehicles as they were revving up and down 3rd Avenue. Ms. Loughlin expressed that even though a local delivery person was riding slowly on a bicycle on the sidewalk because he probably feared for his own safety as vehicles were doubled parked along 3rd Avenue it still wasn't safe for pedestrians. She said that she fears that one day someone will retaliate with a gun and echoed Ms. Diaz that there were no police presence along 3rd Avenue. Chair Willis thanked Ms. Loughlin for her feedback.

Salvatore Finazzo owner of Baci Ristorante at 8424 3rd Avenue introduced himself. He announced that he recently hired an acoustic engineer to fix the problem of music emanating from the establishment and stated it is due to poor insulation in the ceiling. He was very apologetic to the audience especially to Mrs. Puli who he had spoken to on several different occasions regarding loud music. Mr. Finazzo noted that he had lowered the music volume inside the establishment so the noise would no longer emanate and reiterated that he is currently trying to rectify this issue with an acoustic engineer. He noted that currently the 68 Precinct is monitoring his establishment and stated that the music is at a 50-decibel level. Mr. Finazzo voiced that he doesn't want to disrupt the quality of life for nearby residents and assured all the loud music and the valet parking will no longer be an issue. An employee of Baci Ristorante spoke and noted he currently works a few days a week.

The employee mentioned that the outside speakers that were installed were removed and stated in the last week there have been no complaints filed with the 68 Precinct. Mr. Finazzo thanked the audience.

BM Joudeh suggested that the Board contact the appropriate agencies to inform them that there is abandoned wood in the street from prior establishments participating in the open restaurant program that are no longer in use. He noted that he has been working with the 68 Precinct regarding the noise coming from vehicles.

**CHAIR'S REPORT – See Attached**

**DISTRICT MANAGER'S REPORT – See Attached**

**TREASURER'S REPORT – See Attached**

## **COMMITTEE REPORTS**

### **POLICE AND PUBLIC SAFETY COMMITTEE**

Police and Public Safety Committee Chair Vellucci rendered the Committee report. See attached.

**Motion: CB 10 to deny the application for a New SLA Wine/Beer/Cider license for Cavatappi, Inc., 8024 13th Avenue, Brooklyn, New York 11228, unless the owner agrees to the following stipulations:**

1. The premise will operate as a restaurant.
2. There will be no sale or consumption of alcohol on the premises until appropriate authorization is issued by the SLA. (BYOB is not permitted in NYS.)
3. The hours of operation will be Sunday-Saturday 10AM-10PM. The doors and windows are to remain closed in coordination with any amplified music.
4. There will only be background recorded music. The sound level will remain below the level permitted by the NYC Noise Code.
5. There will be no music on the outside of the premises and the noise and lighting will follow NYC regulations.
6. The licensee shall not use any promoter or have promoted events.
7. There will be no smoking permitted.
8. That there will be at least 20% visible view at eye-level into the establishment.
9. The applicant agrees that should it change its method of operation, it will give notice and meet with the Community Board/Committee, at least 45 days in advance of any such change.

Brief discussion followed.

BM Joudeh asked if something can be put in place that every applicant must meet with the Community Board/Committee after three-months from the initial time the Board voted on their application to ensure all stipulations are being followed. Chair Willis asked for clarification as to what exactly BM Joudeh is asking of the Board. BM Joudeh stated that he would like the Community Board/Committee to follow up on all SLA applications submitted to the Board to ensure that all applicants are following their stipulation agreement that was agreed upon within a three-month timeframe and if not send a letter to the SLA informing them of such. Chair Willis noted that when an applicant agrees to the stipulations as part of their method of operation and they go against it that is when the Board would reach out to the 68 Precinct for enforcement, and this is protocol for all establishments. BM Cruz stated that BM Joudeh's concerns should be addressed at a different time as it doesn't pertain to this applicant.

**30 in favor; 1 opposed – BM Leo; 1 abstain – BM Ferraiuolo. Motion carried.**

**Motion: CB10 to deny the application for a New SLA Liquor/Wine/Beer/Cider license for Red Fortune Seafood Restaurant, 6508-6510 11th Avenue, Brooklyn, New York 11219, unless the owner agrees to the following stipulations:**

1. The premises will operate as a restaurant.
2. There will be no sale or consumption of alcohol on the premises until appropriate license is issued by the SLA. (BYOB is not permitted in NYS.)
3. The Letter of No Objection be on hand.
4. The owner or manager will be on site during all hours of operation.
5. The hours of operation will be Monday-Thursday 11AM-10:30PM and Friday-Sunday 11AM-11PM.
6. The applicant will not sublet the premise.
7. The doors and windows are to remain closed in coordination with any amplified music.
8. The background recorded and/or music sound levels will remain below the level permitted by the NYC Noise Code and soundproofing will be maintained in the Karaoke room.
9. There will be no music on the outside of the premises and noise and lighting will follow NYC regulations to ensure the quality of life for nearby residents.
10. The establishment shall not sponsor or use any promoter or have promoted events.
11. There will be no smoking permitted.
12. There will be at least 20% visible view into the establishment and the Karaoke room at eye level.
13. They shall operate only as a karaoke lounge/restaurant and they will comply with all New York State Liquor Authority rules and regulations concerning music and noise. They will comply with all licensing requirements of the Department of Consumer Affairs.
14. They will utilize a sign on the exterior of the establishment that describes it as a restaurant, bar, or a karaoke lounge. They will not utilize any sign that uses the term "music club or night club."
15. No dancing shall be permitted in the premises.
16. There shall be no live band or DJ music permitted in the premises.
17. There shall be karaoke permitted only in the karaoke room.
18. Only pre-recorded background music shall be permitted in the main dining areas.
19. The applicant agrees that should it change its method of operation or floor plan, it will give notice and meet with the Community Board/Committee, at least 45 days in advance of any such change.
20. The applicant will appear for a six-month review to address any additional concerns.

Discussion followed.

BM Falutico questioned the function of karaoke at this establishment as it seems to have some dissimilarities with a restaurant only having eight bar seats and reputable hours. She urged the owner to eliminate karaoke from the method of operation and stated it's an immediate risk for unwanted noise especially with the karaoke room directly beneath residential apartments.

BM Oliva asked for clarification from Committee Chair Vellucci as he didn't recall if this site was already discussed at a previous committee meeting for another establishment. Committee Chair Vellucci responded that there were no prior discussions about another establishment for this site. She explained that at one point La Sorrentina occupied most of the block and then moved to the corner which is now Buonasera. She noted that this establishment is located directly across from Faicco's.

BM Frangipani voiced her concerns regarding this establishment having a karaoke component within the vicinity of numerous seniors. Committee Chair Vellucci explained that the karaoke room is in the back of the establishment when facing the store on the right which is opposite the kitchen and noted that there is sound proofing in that area. Committee Chair Vellucci stated that she was informed by the owner that the establishment was operating during the pandemic without serving liquor and ensured her that there wasn't any unwanted noise as he often reached out to the surrounding tenants to make sure there was no noise issue.

BM Mulé inquired if any nearby residents attended the Police and Public Safety Committee meeting to voice their opinions and/or concerns. Committee Chair Vellucci responded that no residents attended the Police and Public Safety Committee meeting adding that this is a small establishment with an occupancy of only fifty people in an active area and stated that she doesn't anticipate there will be any issues.

Chair Willis questioned the size of the one karaoke room. Committee Chair Vellucci responded that she doesn't have the floor plan with the exact measurements on hand. DM Beckmann noted the karaoke room was small. BM Greenfield-Masyr clarified that it only holds eight people.

BM Grimaldi mentioned that she believes that there is a standard addition for a Chinese restaurant with karaoke components in their business model. Committee Chair Vellucci said that it was part of their culture. BM Grimaldi stated that she has been to a Chinese restaurant with karaoke with former BM Seminara and noted it wasn't noisy at all.

Committee Chair Vellucci mentioned that she informed the attorney that prior applicants had come before the Board for SLA licenses with karaoke in their method of operation and it became a problem because of the noise, location, and disorder. The attorney responded to her stating this is not that type of establishment.

BM Leo noted that she is of Chinese descent and mentioned that she went to a Chinese restaurant with karaoke components before and said she doesn't believe this establishment will be a problem as it is part of their culture. Committee Chair Vellucci mentioned that people will be able to see inside the karaoke room.

BM Hetteix stated that sound proofing a single room is easier than sound proofing an entire restaurant and mentioned that he doesn't believe noise would be a problem for this establishment.

BM Cruz noted that since the Board has had prior karaoke establishments that became problematic the Board should always be cautious and said that she doesn't believe this establishment will be problematic. Committee Chair Vellucci pointed out that at the Police and Public Safety Committee meeting she discussed all the bad experiences the Board has had with karaoke establishments with the owner and attorney. Committee Chair Vellucci noted that she doesn't want to put all karaoke establishments under the same category as this establishment, she believes, will follow the rules.

BM Joudeh shared that Chinese restaurants with karaoke components is part of the Chinese culture just like Hookah was created in China.

**27 in favor; 2 opposed – BM Festa and BM Falutico; 1 recusal – BM Feliciano; 1 abstain – BM Ferraiuolo.**  
**Motion carried.**

**Motion: CB10 to send a letter to the SLA to deny the renewal application for a SLA Liquor/Wine/Beer/Cider license for Bay Ridge Hospitality Group LLC, d/b/a Baci Ristorante, 8420-8424 3rd Avenue, Brooklyn, New York 11209 and ask our elected officials to assist in communicating to the NYS Liquor Authority that this establishment has disrupted the quality of life of nearby residents, demonstrated a total disregard of phased reopening guidelines, as well as employees and valet that block crosswalks, use of amplified sound on the public street and sidewalk in violation of CB10's Stipulation Agreement and is creating a disorderly environment that impacts the surrounding residential community.**

Discussion followed.

BM Greenfield-Masyr questioned if all pertinent agencies will be contacted as discussed at the Police and Public Safety Committee meeting. Committee Chair Vellucci reiterated that the motion on the floor is for CB10 to send a letter to the SLA denying the renewal application in addition to seeking support from our elected officials in communicating with the SLA and police enforcement.

BM Grimaldi pointed out that it may be helpful if the 68 Precinct review the footage that was obtained by nearby residents of what occurs at the establishment and then ask for more enforcement. Committee Chair Vellucci stated that she had mentioned to DM Beckmann that it may be in the best interest to have an outside task force monitor this establishment on certain evenings.

BM Grimaldi noted that now that the weather is nice, and more people are outside the situation on 3<sup>rd</sup> Avenue can possibly get out of control just like the Dyker Heights Dyker Lights viewing with the intensity and gathering of people and the excitement of people to be out. She stated that the Board needs to be ahead of this situation.

DM Beckmann stated that at least three video footages that were sent by residents to the Board were shown at the Police and Public Safety Committee meeting demonstrating music emanating from Baci Ristorante with no patrons inside, a festival like atmosphere outside with amplified music until approximately 3:00 am, and patrons lighting fireworks in the street. DM Beckmann pointed out that it was upsetting to several members of the community who came to the Board seeking help. Committee Chair Vellucci expressed this is not the first time the Board was notified of what is going on and mentioned that the owner, Mr. Finazzo has had discussions with the Board since 2019 regarding loud music playing.

BM Harrison noted that stipulations that are put in place are meaningless if there is no enforcement. Committee Chair Vellucci mentioned that even though the owner received a twenty-thousand-dollar violation it is not enough as the violation gets paid and the situation reoccurs.

BM Cruz expressed that she believes the 68 Precinct has no commitment to the community as they didn't attend this meeting. Committee Chair Vellucci responded that the 68 Precinct was present at the Police and Public Safety Committee meeting. She stated that Mr. Finazzo did not attend the Police and Public Safety Committee meeting after receiving notice from the Board.

BM Sokoloski feels that this matter has escalated, and the rules must be enforced, adding that establishment should become an example for other establishments not following rules and regulations. He expressed that since there have been changes to the open restaurant program due to the pandemic some establishment owners have taken advantage of the situation and said it is unacceptable. Committee Chair Vellucci responded that there is no other establishment that is out of hand like Baci Ristorante and BM Sokoloski agreed with her.

BM Greenfield-Masyr announced that Mr. Finazzo wrote in the meeting chat that he wanted to speak, and BM Vellucci confirmed. BM Grimaldi and BM Greenfield-Masyr voiced that Mr. Finazzo should be given the opportunity to speak. It was noted by Chair Willis that when a discussion takes place after a motion is on the floor only Board Members speak. Chair Willis and several Board Members pointed out that Mr. Finazzo already spoke during the public session.

BM Thum questioned what the outcome would be if the Board voted to deny the renewal application for Baci Ristorante and asked if the establishment would close. Chair Willis replied that Community Board Ten only serves in an advisory position and explained that Community Board Ten informs the SLA whether the Board is in favor of renewing the application or if not why. Chair Willis pointed out that the SLA can look at this renewal application and Baci's history and make their own determination about whether to renew their license. Committee Chair Vellucci expressed that when the Board recommends a straight denial to the SLA it does contribute to the decision making. Chair Willis stated that the 68 Precinct is also informed of the Board's recommendation and if an establishment wasn't already on their radar it would be after receiving the Board's recommendation.

BM Rasinya expressed that due to this specific matter he wouldn't object if Mr. Finazzo was given the opportunity to speak again for two minutes. BM Joudeh pointed out that the public session is closed, and Mr. Finazzo shouldn't be granted time to speak as this time is exclusively for Board Members. Chair Willis agreed to allow Mr. Finazzo to speak for two minutes despite her prior recommendation as many Board Members wanted to hear what Mr. Finazzo had to say and noted that in the past the Board has allowed someone from the public to speak during the Board's discussion.

Michael, an employee of Baci Ristorante spoke on behalf of Mr. Finazzo and stated the following:

1. As far as the fireworks incident, those were patrons of Baci, but he as the host that evening had no control over the patrons' actions
2. He and Mr. Finazzo are deeply sorry for all the issues they have caused nearby residents. All staff members have viewed the Police and Public Safety Committee meeting and are aware of the residents' complaints.
3. They have taken steps to rectify the matter of noise emanating from the establishment and have removed the outdoor speakers as well as consulting with an engineer
4. The establishment has an atmosphere of good food and drinks
5. This weekend they hosted a sweet sixteen and at 11:30 pm the music was lowered, and the DJ had to leave to accommodate residents to be able to sleep at a decent time
6. There have been no reports made of anyone being under the influence and the atmosphere is not crazy

7. They spoke to the valet owner about the double parking and vehicles in the crosswalk.
8. He noted that when he has control of the speakers and is asked lower the volume, he puts the volume down and stated he does not put the volume up again after a few minutes.
9. The 68 Precinct makes frequent stops at Baci and if they are told to lower the music, they do so. He mentioned several other restaurants in the area by name that also play outdoor music.
10. He stated that this past week has been good for the restaurant [since the Police and Public Safety Committee meeting] as far as taking big steps to becoming part of the community. Their goal is to live and make money and provide a service to the community.

**27 in favor; 1 opposed – BM Leonardos; 1 Abstain – BM Bova. Motion carried.**

### **TRAFFIC AND TRANSPORTATION COMMITTEE**

Traffic and Transportation Committee Chair Capetanakis rendered the Committee report. See attached.

**Motion: CB10 to approve the Street Naming application at the southwest corner of 92<sup>nd</sup> Street and 3rd Avenue for Ralph Schiano's Corner.**

**31 in favor. Motion carried unanimously.**

### **ZONING AND LAND USE COMMITTEE**

Zoning and Land Use Committee Chair Cruz rendered the Committee report. See attached.

**Motion: CB10 to send a letter to the New York City Landmarks Preservation Commission in support of the 74th Street 400 Block Association Request for Evaluation (RFE) seeking historic district status for a large portion of 74<sup>th</sup> Street between 4th and 5th Avenues in Bay Ridge, Brooklyn.**

Motion made by BM Hetteix, second by BM Sokoloski.

Brief discussion followed.

BM Hetteix commented on the beauty of the block.

**32 in favor; 1 opposed – BM Harrison. Motion carried.**

**Motion: CB10 to send a letter to the New York City Department of City Planning Commission in support of the proposed Hotel Text Amendment, 21DCP111Y, N210406Zry, provided that the section 32-02 Special Provisions for Hotel #Transient hotels#, as listed in section 32-14 (Use Group 5) is removed from the text.**

**32 in favor. Motion carried unanimously.**

**Motion: CB10 to send a letter to the New York City Department of City Planning Commission in support of a motion to VOTE NO on the proposed Health and Fitness Citywide Text Amendment, 21DCP183Y, N210382ZRY at this time due to many concerns raised during the review process.**

Brief discussion followed.

BM Hetteix asked for clarification as to how the proposed text amendment affects both licensed and unlicensed massage parlors. DM Beckmann explained that this text amendment proposes to remove the only regulatory mechanism there is to check if a massage parlor is licensed or unlicensed, currently the Department of Buildings. She noted that the Department of City Planning is proposing that these types of establishments be placed in residential areas and Community Boards will have no way to know which are operating illegally.

BM Harrison commended Committee Chair Cruz who noted that she did not work alone. She thanked the Zoning and Land Use Committee for all their hard work and noted that BM Falutico has assisted her a great deal recently. She thanked DM Beckmann for all her efforts, stating that as a Committee Chair one can always count on her.

The motion was restated, and a vote was taken. **31 in favor. Motion carried unanimously.**

### **PARKS COMMITTEE**

Parks Committee Acting Chair Stewart rendered the Committee report in the absence of Committee Chair Gounardes. See attached.

**Motion: CB10 to send a letter to the New York City Department of Parks and Recreation Brooklyn Borough Commissioner Martin Maher in support of the design plan for the renovation of Russell Pedersen Playground located off Colonial Road between 83rd and 84th Streets.**

**30 in favor. Motion carried unanimously.**

### **NOMINATING COMMITTEE**

Chair Willis called upon Secretary Vallas to cast one vote in favor of the slate of officers for fiscal year 2022 as presented by the Nominating Committee at the Community Board Ten General Board Meeting held on May 17, 2021. Secretary Vallas cast one vote for the slate as follow:

- Chair – Lori Willis
- Vice Chair – Jaynemie Capetanakis
- Secretary – Sandy Vallas
- Treasurer - Shirley Chin

### **OLD BUSINESS**

None

### **NEW BUSINESS**

None

### **ADJOURN**

With no further business, motion to adjourn by BM Vallas, second by BM Feliciano. The meeting was adjourned at 9:34 pm. Chair Willis wished the Board a happy summer.

## STATE LIQUOR AUTHORITY – NEW APPLICATIONS & RENEWALS

<u>Name/Address</u>	<u>Received at CB 10</u>	<u>Status</u>
Steger Restaurant Inc. d/b/a Chadwick's Restaurant 8822-8824 3 <sup>rd</sup> Avenue	6/3/2021	Renewal Liquor, Wine, Beer & Cider
Pam's Bar Inc. d/b/a P.C.'s Bar and Grill 7215 5 <sup>th</sup> Avenue	6/3/2021	Renewal Liquor, Wine, Beer & Cider
Aloni Restaurant Corp. d/b/a Mr. Chips 7506 3 <sup>rd</sup> Avenue	6/3/2021	*New Application Wine, Beer & Cider
Coszcal De Allende Restaurant Inc. d/b/a Pancho's Restaurant 6824 3 <sup>rd</sup> Avenue	6/4/2021	Renewal Liquor, Wine, Beer & Cider
Petasos Restaurant Corp. d/b/a Emphasis Restaurant Café 6820-6822 4 <sup>th</sup> Avenue	6/8/2021	Renewal Wine, Beer & Cider
Brooklyn Specialty Foods Inc. d/b/a South Brooklyn Foundry 6909 3 <sup>rd</sup> Avenue	6/08/2021 corrected on 6/14/2021	Corporate Change Liquor, Wine, Beer & Cider
Omiya 2015 Inc. d/b/a Omiya Sushi 8618 4 <sup>th</sup> Avenue	6/8/2021	Renewal Wine, Beer & Cider
Bay Ridge Hospitality Group LLC d/b/a Baci Ristorante 8422-8420 3 <sup>rd</sup> Avenue	6/9/2021	**Renewal Liquor, Wine, Beer & Cider
66 Club Inc. 815 66 <sup>th</sup> Street	6/10/2021	New Application Liquor, Wine, Beer & Cider
Yee Keng Cho d/b/a Bay Sushi New York Inc. 29 Bay Ridge Avenue	6/14/2021	Renewal Wine, Beer & Cider
Tanoreen Caterers Inc. 7523 3 <sup>rd</sup> Avenue	6/17/2021	Renewal Liquor, Wine, Beer & Cider

\* Will be invited to present application at Police & Public Safety Committee Meeting in September 2021.

\*\* Appeared before the Police & Public Safety Committee on June 15, 2021.

## STATE LIQUOR AUTHORITY – NEW APPLICATIONS & RENEWALS

<u>Name/Address</u>	<u>Received at CB 10</u>	<u>Status</u>
CNK Restaurants LLC d/b/a Lock Yard 9221 5 <sup>th</sup> Avenue	6/28/2021	Renewal Liquor, Wine, Beer & Cider
Cebu Brooklyn Hospitality Group Inc. d/b/a Cebu Bar & Bistro 8801 3 <sup>rd</sup> Avenue	6/30/2021	New Application Liquor, Wine, Beer & Cider
Old World Holdings Inc. d/b/a Delia's Lounge 9224 3 <sup>rd</sup> Avenue	6/30/2021	Renewal Liquor, Wine, Beer & Cider
Luliano's Trattoria Corp. d/b/a Luliano's Wood Fired Pizza & Trattoria 7902 3 <sup>rd</sup> Avenue	7/7/2021	Renewal Liquor, Wine, Beer & Cider
Vivala Pizza Inc. 6305 Fort Hamilton Parkway	7/12/2021 via email 7/20/2021 via certified mail	*New Application Wine, Beer & Cider
Laconian Enterprises LTD. d/b/a Elia 8611 3 <sup>rd</sup> Avenue	7/14/2021	Renewal Liquor, Wine, Beer & Cider
Kalodine Enterprises LTD. d/b/a Bridgeview Diner 9011 3 <sup>rd</sup> Avenue	7/14/2021 via email 7/19/2021 via certified mail 7/28/2021 via USPS	Renewal Liquor, Wine, Beer & Cider
Inaka Japanese 8318 Inc. d/b/a Inaka Japanese Fusion 8318 3 <sup>rd</sup> Avenue	7/16/2021	Renewal Wine, Beer, & Cider
Fred & Ambers Schnitzel Haus Corp. 7319 5 <sup>th</sup> Avenue	7/19/2021	Renewal Liquor, Wine, Beer & Cider
Affable Eatery Inc. 912 65 <sup>th</sup> Street	7/19/2021	*New Application Liquor, Wine, Beer & Cider
Donganite Corp. K of C #1251 8122 5 <sup>th</sup> Avenue	7/26/2021	Renewal Liquor, Wine, Beer & Cider
Fonda Garibaldi Inc. 6732 13 <sup>th</sup> Avenue	7/29/2021	*New Application Wine, Beer & Cider

\* Will be invited to present application at Police & Public Safety Committee Meeting in September 2021.

\*\* Appeared before the Police & Public Safety Committee on June 15, 2021.

**COMMUNITY BOARD 10 BROOKLYN**  
**CHAIR'S REPORT**  
**June 21, 2021 General Board Meeting**

Good evening, and welcome to Community Board 10's June 21, 2021 General Board meeting, via Zoom, with live stream to the public.

This is our last meeting before our NYC Charter-mandated summer hiatus, and as I have alluded to in last month's report, we have a lot going on. As such, this report will be a bit longer than normal, and I beg your indulgence.

I want to recognize some of our members, past, present and future, who have really donated so much to the community in their work for this Board.

As for our past Board members, we will miss Susan Pulaski. Her passing came as a shock to all of us. She was one of our long-time, hands-on members. We will sorely miss her as friends and colleagues and in our work here as a Board. We also share in the grief of our past chair and Board member, Joanne Seminara, in mourning the loss of her father. May they both rest in peace. I also want to recognize and thank our past Board member, Michael Devigne, who has found a new home outside of New York City. Michael was a Board member since 2018, and in his tenure contributed a great amount of his time and talent in gathering and preparing data Zoning and Land Use Committee, serving as chair on the 65<sup>th</sup> Street Corridor Subcommittee, working on the Commercial Needs Assessment for our local businesses, and being an active member of our Board. I thank him and wish him well in his new home. We will also miss long-time Board member Ida D'Amelio, who served since 2007, both as a member and Committee chair, and we wish her all the best.

I absolutely have to thank some of our current members who have really been going above and beyond what could possibly be asked of any person who undertakes this volunteer Board position. Doris Cruz has been pouring her blood, sweat and tears into her work on the pending Zoning Text amendments, and I cannot thank her enough. Our Zoning Committee members have also been giving it their all, and I cannot emphasize how important their work has been at this time. I also have to thank our Special Working Group members Ann Falutico, Barbara Germack, Steve Harrison, Stephanie Mahaney and Dean Rasinya, who have voluntarily undertaken a great deal of painstaking work, under tremendous time constraints, in order to review and analyze the proposed zoning text amendments, in order to understand them and their upshot, and to summarize it all for our benefit. For those of you who have not read and analyzed these text amendments, you really have no idea how much agony they are sparing each of us, and how their work is directly benefitting this community, and how grateful to them we all should be. I also want to thank our T&T Committee Chair, Jaynemie Capetanekis, who has also had a packed agenda, and handles it all with aplomb, and Judy Collins, our Veterans and Military Affairs Liason, who attended the Department of Veterans' Affairs meeting last month, and will be covering those bi-annual meetings going forward. Her report will be attached to the minutes.

I also want to welcome our new Board members Jonathan Bova, Edward Yoo, Senja Frangiapani, Essa Masoud, and Preston Ferraiuolo. Some of you may recognize the name of that last new member, as he has come before our board to speak on a number of occasions, and is the son of past Board member Liz Amato. I thank each of you for volunteering, and welcome you. Board membership is a great opportunity not only to help your community, but to learn and grow, and to meet some terrific people. I hope you take advantage of all it has to offer.

Last, but certainly not least, I have to thank our fearless and tireless District Manager, Josephine Beckmann, and her partner in good works, Dorothy Garuccio, without whose competence, dedication and caring we would never accomplish even a fraction of what we do here. I have seen how their diligence enables us to keep informed of what is coming and allows us to have our voice heard before the decisions are made final.

Most of what we do is unknown to many members of the community, yet they unknowingly see the results in so much of what they experience in their every-day lives. I can guaranty you that most of the members of our community do not know about the impending text amendments, DOT traffic re-routings and other items that you will hear about in our reports, or how their effects will directly impact their everyday experiences in this community in the future. However, I do know that due to the vigilance and hard work of all of our otherwise unsung heroes here at CB10 their lives will be better.

Moving on to the matters which have been keeping us busy, City Hall is plowing ahead at a breakneck pace with a number of matters sought to be completed before the end of the current administration. As mentioned, these include a number of major Zoning Text amendments (Zoning for Accessibility, FRESH Text amendment, Health and Fitness Text amendment, Open Restaurants Text amendment, and Hotel Text amendment), and the DOT's major revision to traffic patterns on 7<sup>th</sup> and 8<sup>th</sup> Avenues, from 39<sup>th</sup> Street to 66<sup>th</sup> Street. This Board's considerable frustration and dismay at the lack of meaningful opportunity for notice and opportunity to be heard on these matters is shared by many Boards, elected officials and community partners across the borough and the city. Just today, Assemblyman Peter Abbate, Councilman Justin Brannan and many Asian American community groups, held a press conference to address this drastic change to traffic patterns without community input and approval, and they presented a petition with over 10,000 subscribers who are against the proposal and who are asking for a fair process. In addition, at the June 2, Borough Board meeting the members, including myself and Councilman Brannan, voted to send a letter to the City Planning Commission asking them to adjourn their hearings on these matters to October in order to enable the Community Boards to perform public outreach and have these matters properly placed on the Board's calendar for a vote. We do not yet have City Planning's response, but we will be following closely for it.

I am, however, not very hopeful, as just hours ago I learned that the City Planning Commission voted to make the Open Restaurants Text Amendment permanent, and has referred the Open Restaurants Text Amendment for Community Board comment over the a 60-day period, starting July 17, 2021. Those 60 days start during our summer hiatus and end before our

September 2021 meeting. As I shared in my previous report when Community Board Chairs were invited to a presentation on this amendment, it was quite clear that the rules for this program were far from complete, and many questions as to how it would work could not be answered.

The District Office is already receiving calls from members of the community who are feeling unwanted effects of the implementation of Open Streets and Open Restaurants without community input and without any real plan. Community members have called with concerns about patron safety, pedestrian and driver safety. Due to the virtually unregulated build-out of dining structures in the streets there have been cars double parked on both sides of the street, leaving very little room for traffic to pass, as cars and cyclists alike squeeze by on the roadway; cars blocking cross-walks; cars idling outside establishments; and serious pedestrian hazards. Members of the community have been experiencing noise into the early hours of the morning as restaurant patrons dine and drink on the sidewalks and streets until 4am. Unfortunately, no one consulted these members of the community, the Community Boards, or our local elected officials about these new permissive rules, so they are just left to suffer the ill effects. There are no true set of regulations, so there can be no enforcement.

As I have mentioned before, the lack of appropriate process, notice and citizen input is a matter of serious concern, not to just the functioning of a democratic process, but because the upshot is that you may experience significant changes in your quality of life, safety, mobility and business, and apparently by someone's design we are almost at the point where it is too late to try and stop it or undo it.

Ordinarily, at this point in my report, I'd be wishing you a happy summer and seeing you in the fall. However, this is not an ordinary time. So, while I do wish you a happy and safe summer – and you can blame the current Mayor and the City Planning Commission for this – I may be seeing many of you before the fall, as we need to do our best to make our voice heard by the City before the changes are enacted.

I leave you with the hope that this type of action will not occur under the new mayor, and ask you to do what you can to make sure that the new administration understands that cutting out the voice of the people of this city is not o.k.

Thank you for attending this meeting, and hope you remain safe and well.

Respectfully submitted,

*/s/ Lori Willis*

Lori Willis, Chair

Brooklyn Community Board 10

# DISTRICT MANAGER REPORT

**June 21, 2021**

Dear Board Members,

Thank you Lori Willis for your wonderful report and for your leadership this past year as Chair of the Board as well as our officers and congratulate in advance our Executive team. I want to take this opportunity to welcome new Board Members appointed and express my appreciation for your service and I look forward to working with you. Please welcome new Board Members!

I too would like to share with Community Board 10 Members that the District Office was too very sad to hear about the passing of our beloved CB10 Member Susan Pulaski. Susan called the District Office weekly and we last heard from her the Thursday before she passed seeking to serve on ZALUC's working group.

Since our last meeting in May.. many more COVID-19 restrictions have been lifted. Many Board Members have asked about future changes to the Open Meetings Law as it relates to the return to in person meetings. We have certainly been fortunate to have the Zoom platform and have learned so much over the last year. I want to thank Board Member Dan Hetteix who has been very helpful with tech assistance.

Another sign that we are slowly returning to some normalcy.. The District Office has received 25 block party applications for the summer and more call us each day. .

There are notable changes to new NYC DOT Open streets Program. Community Board review and consultation was completely removed from this new program. 12 of 18 Community Board District Managers signed onto a letter to NYC DOT Commissioner Gutman as we were briefed on the new program noting the exclusion of community boards from the application process in the Weekend Walk program. In fact, the Street Activity Permit Office system prohibits community boards from proactively looking up permits that have been brought to our attention by our local police precincts or community inquiries.

In the NYC DOT Weekend Walk program – CB10 was a community partner – worked with organizers and helped coordinate agency review. Our Traffic and Transportation Committee met with the applicants.. discussed the event and also together agreed upon hours of operation and able to address many concerns including compliance with SLA regulations and of course noise concerns.

The NYC DOT Summer Open Streets program eliminates Community Boards completely from a formal review process. We cannot stipulate hours of operation – amplified sound or other agency DSNY street cleaning before and after. Open Streets is currently not funded. NYPD and DSNY services are not clear as I write this report. As District Manager I am fortunate to have a working relationship with our merchants groups and BIDs. So while DOT is keeping us out of the process .. I am in touch with the applicants and of course our local City Council Member Justin Brannan who is on the ground to also help.

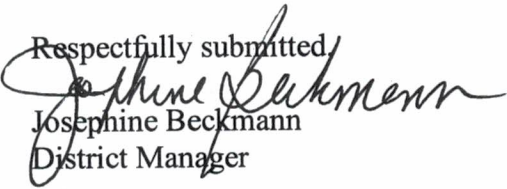
As I was putting together my report to you I received a call from the MTA as I reached out to them following questions from about bus reroute for this Friday's 5<sup>th</sup> Avenue Weekend Walk.. our community partner the Fifth Avenue BID did not yet receive word.. and the MTA NYC Transit confirmed they had not yet been notified by NYC DOT but based on our outreach spoke to their planning division and the bus will be rerouted along 5<sup>th</sup> Avenue. As I was working on my DM report.. I did receive an email informing CB10 of DOT's approval for Open Streets on 5<sup>th</sup> Avenue.

The 5<sup>th</sup> Avenue Open Streets was approved for the last Friday of each month so the first is June 25<sup>th</sup>.. from 72 to 74; 75 to 78 Streets; 79 to 81 Street and 83 to 85 Streets.

Our next General Meeting of Community Board Ten is scheduled to take place on Monday, September 20, 2021 location to be determined... however, this date may change due to the Citywide Text Amendment.

Happy and safe summer.

Respectfully submitted,

Handwritten signature of Josephine Beckmann in cursive script, written in dark ink. The signature is fluid and stylized, with the first name 'Josephine' and last name 'Beckmann' clearly legible.  
Josephine Beckmann

District Manager

COMMUNITY BOARD TEN  
TREASURER'S REPORT

Fiscal Year: July 1, 2020 to June 30, 2021

Budget Appropriation for FY 2021													\$245,166.60
	7/31/20	8/31/20	9/30/20	10/31/20	11/30/20	12/31/20	1/31/21	2/28/21	3/31/21	4/30/21	5/31/21	6/30/21	Y - T - D
DISTRICT MANAGER	\$9,868.93	\$9,878.86	\$9,878.86	\$14,818.29	\$9,878.86	\$9,878.86	\$9,878.86	\$9,878.86	\$9,878.86	\$14,818.29	\$9,878.86		
COMMUNITY COORDINATOR	\$6,075.17	\$6,075.84	\$6,075.84	\$9,122.01	\$6,092.34	\$6,084.09	\$6,084.09	\$6,084.09	\$6,084.09	\$9,122.01	\$6,236.81		
COMMUNITY ASSOCIATE													
COMMUNITY ASSISTANT	\$1,637.57	\$1,364.60	\$1,364.60	\$2,558.42	\$1,842.30	\$1,924.18	\$1,842.30	\$1,634.13	\$1,944.65	\$3,070.50	\$2,047.00		
COLLEGE AIDE	\$945.53												
Total Personal Services	\$17,584.67	\$17,319.30	\$17,319.30	\$26,498.72	\$17,813.50	\$17,887.13	\$17,805.25	\$17,597.08	\$17,907.60	\$27,010.80	\$18,162.67	\$0.00	\$212,906.02

ExpensesCode		Description	7/31/20	8/31/20	9/30/20	10/31/20	11/30/20	12/31/21	1/31/21	2/29/2021	3/31/21	4/30/21	5/31/21	6/30/21	Y - T - D
10B		Telephone	79.99	79.99	79.99	79.99	79.99	79.99	79.99	79.99	79.99	79.99	79.99		
10X		Intra-City Supplies													
40B		Intra-City Telephone													
100		Supplies & Materials													
101		Printing Supplies						1,532.22					349.99		
117		Postage													
170		Cleaning Supplies							264.64			35.17			
199		Data Processing Supplies													
302		Telecomm. Equipment													
314		Office furniture													
315		Office Equipment													
319		Security Equipment	120.00			120.00		120.00			370.00				
332		Data Process Equipment										2,564.43			
337		Books													
402		Tel./Communications													
412		Rental/Misc./Equip		327.60	163.80	169.80	163.80	163.80	163.80	209.55	163.80	163.80	118.05		
417		Advertising													
431		Leasing Misc. Equip.													
451		Local travel expenditures													
602		Telecomm. Maintenance	42.32	45.43	549.90	45.43	45.43	45.43	43.21	43.21	43.21	43.21	43.21		
613		Office Equip. Maint.													
615		Data Process Equipment													
615		Printing Supplies													
622		Temporary Services-contractual													
624		Cleaning Services							325.00						
686		Professional/Computer Services													
684		Professional/Computer Services	588.00												
110		Food & Forage Supplies													
Total Other than Personal Services			\$630.31	\$455.02	\$793.69	\$415.22	\$1,289.22	\$1,941.44	\$976.64	\$332.75	\$657.00	\$2,886.60	\$591.24	\$0.00	\$11,067.13
TOTAL PS AND OTFS EXPENSES			18,414.96	17,772.32	18,112.99	26,913.94	19,102.72	19,828.57	18,681.89	17,929.83	18,564.60	29,897.40	18,753.91	0.00	223,973.15

<b>TOTAL UNCOMBURED BUDGET BALANCE</b>													<b>\$21,193.46</b>
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Respectfully submitted,  
  
 Shirley Chin, Treasurer

## **COMMUNITY BOARD #10 POLICE & PUBLIC SAFETY MEETING**

Date/Time: June 21, 2021 – 7:00 P.M.

Place: District Office, 8119 – 5<sup>th</sup> Ave., Brooklyn, New York 11209

Meeting Via ZOOM on June 15, 2021 7:00 P.M.

Quorum: YES

- **New Application for Restaurant Wine, Beer & Cider for CAVATAPPI, INC.**
- Premise: 8024 – 13th Avenue, Brooklyn, New York 11228

This is a new application for a restaurant named CAVATAPPI, INC. located at 8024 – 13<sup>th</sup> Ave. The owners David Baiardi and Stefano (Stephen) Diomede were present at this meeting. There is a C/O and it is being updated. In the application there was a typed menu, photos of the restaurant of the progression during construction showing hardwood flooring and chandeliers. The floor plan was provided. There will only be background recorded music and outdoor use. We ask that on the application that the N/A be changed to YES regarding keeping all doors closed and that there will be no smoking on the sidewalk.

**After a discussion period, the committee's decision was to move to deny this application unless the owner agreed to the following stipulations:**

- 1. The premise will operate as a restaurant.**
- 2. There will be no sale or consumption of alcohol on the premises until appropriate authorization is issued by the SLA. (BYOB is not permitted in NYS.)**
- 3. The hours of operation will be Sunday-Saturday 10AM-10PM. The doors and windows are to remain closed in coordination with any amplified music.**
- 4. There will only be background recorded music. The sound level will remain below the level permitted by the NYC Noise Code.**
- 5. There will be no music on the outside of the premises and the noise and lighting will follow NYC regulations.**
- 6. The licensee shall not use any promoter or have promoted events.**
- 7. There will be no smoking permitted.**
- 8. That there will be at least 20% visible view at eye-level into the establishment.**
- 9. The applicant agrees that should it change its method of operation, it will give notice and meet with the Community Board/Committee, at least 45 days in advance of any such change.**

The applicant has agreed to the above stipulations.

Committee – Approved.

Full Board Approved.

- **New Application for Liquor, Wine, Beer & Cider for Red Fortune Seafood Restaurant**
- Premise: 6508-6510 11th Avenue, Brooklyn, New York 11219

This is a new application for a restaurant and karaoke establishment named Red Fortune Seafood Restaurant located at 6508-6510 11<sup>th</sup> Ave. The owners Jonathan Choy was present. Attorney Terrence Flynn was also present. There is no C/O, but there is a Letter of No Objection as this was part of the La Sorrentina's Pizzeria establishment. The application included a menu, photos of the restaurant under construction, but does not show

the appearance of this establishment ready for business. There will be 10 tables with 36 seats and 1 bar with 8 seats. The floor plan was provided. As this establishment is two stores wide, there will be tables on each side with a sliding door to pass through. The Karaoke room is in the back with soundproofing.

- There will not be dancing.
- There will not be security.
- There may be private parties.
- There will be outdoor space used following the NYC Covid protocols.
- The applicant has noted that he has not read the NYPD Nightlife recommendations or noise restrictions, but the attorney, Mr. Flynn will provide them to Mr. Choy.
- The hours of operation will be Monday-Thursday 11AM – 10:30PM & Friday-Sunday 11AM – 11PM.

**After a discussion period, the committee's decision was to move to deny this application unless the owner agreed to the following stipulations:**

- 1. The premises will operate as a restaurant.**
- 2. There will be no sale or consumption of alcohol on the premises until appropriate license is issued by the SLA. (BYOB is not permitted in NYS.)**
- 3. The Letter of No Objection be on hand.**
- 4. The owner or manager will be on site during all hours of operation.**
- 5. The hours of operation will be as the following:  
Monday-Thursday 11AM-10:30PM and Friday-Sunday 11AM-11PM.**
- 6. The applicant will not sublet the premise.**
- 7. The doors and windows are to remain closed in coordination with any amplified music.**
- 8. The background recorded and/or music sound levels will remain below the level permitted by the NYC Noise Code and soundproofing will be maintained in the Karaoke room.**
- 9. There will be no music on the outside of the premises and noise and lighting will follow NYC regulations to ensure the quality of life for nearby residents.**
- 10. The establishment shall not sponsor or use any promoter or have promoted events.**
- 11. There will be no smoking permitted.**
- 12. There will be at least 20% visible view into the establishment and the Karaoke room at eye level.**
- 13. They shall operate only as a karaoke lounge/restaurant and they will comply with all New York State Liquor Authority rules and regulations concerning music and noise. They will comply with all licensing requirements of the Department of Consumer Affairs.**
- 14. They will utilize a sign on the exterior of the establishment that describes it as a restaurant, bar, or a karaoke lounge. They will not utilize any sign that uses the term "music club or night club."**
- 15. No dancing shall be permitted in the premises.**
- 16. There shall be no live band or DJ music permitted in the premises.**
- 17. There shall be karaoke permitted only in the karaoke room.**
- 18. Only pre-recorded background music shall be permitted in the main dining areas.**
- 19. The applicant agrees that should it change its method of operation or floor plan, it will give notice and meet with the Community Board/Committee, at least 45 days in advance of any such change.**
- 20. The applicant will appear for a six month review to address any additional concerns.**

The applicant has agreed to the above stipulations.

Committee – Approved.  
Full Board Approved

## BACI Restaurant

Baci Restaurant owner, Salvatore Finazzo was scheduled to appear at the committee meeting. Several neighboring residents and tenants spoke. More than 30 people watched on live stream. Mr. Finazzo did not attend this meeting and he did not call to inform us that he was not attending.

At the public session of the June 21<sup>st</sup> CB 10 General Board meeting several residents spoke out again regarding the disruption caused by this establishment's owner and his blatant disregard for the rules of the SLA and the quality of life of the community. Mr. Finazzo spoke during the Public Session and stated that he will comply with satisfying the concerns expressed. I reminded the board that approximately two years ago, many of these complaints were brought to his attention. In fact, I personally went to the establishment because of the outdoor music speakers. They were removed – and then reinstalled. This month, we again face unacceptable and deliberate issues that must be addressed and rectified.

The renewal of Baci Ristorante located at 8424 3 Avenue (State Liquor Authority On-Premises license) was discussed. District Manager Beckmann presented adverse history to the Committee about Baci Ristorante from January 2021 through present.

The District Office received the SLA renewal notice on June 9<sup>th</sup>. The applicant's SLA license expires on June 30, 2021 and therefore, the notice should have been received on or before May 31<sup>st</sup>.

Baci is located at 8424 3 Avenue. It is a corner business with outdoor dining now that spans 60 feet on the frontage of 3<sup>rd</sup> Avenue and approximately 30 feet on 85<sup>th</sup> Street. It is located within the commercial overlay of the residential district and surrounded by many residential apartments. The District Office received over one dozen video clips with pleas from neighbors seeking relief from late night/early morning noise.

Three video clips were shown to members of the Committee. We heard from one resident about Vision Zero related complaints – blocked crosswalks, double parking and several neighbors pleading for help including a young mother and a 17 year old student. They shared stories of many of their neighbors who were viewing the meeting and were present to explain the issues for all neighbors.

It is important to note there were 30 residents watching the livestream at the time of the meeting and several reached out to our office the following day to express their appreciation to CB10 for hosting the meeting.

The NYC DOT Open Restaurants program no longer limits hours of operation on the sidewalk or curb lane; however, in Baci's SLA application submitted as part of its submission in 2018 to Community Board Ten, Baci agreed to operate as a restaurant – open until midnight and with only background dining music delivered through the built in ceiling speakers (no other amplification) It now operates well into the early morning hours – some nights up to 3am with loud amplified music and patron dancing. Many residents described its club atmosphere/street festival on a New York City sidewalk in comments to the members of the Committee.

There were several unsuccessful efforts to reach out to the owners/management at Baci. At the April 2021 meeting of the 68 Precinct Community Council, the Commanding Officer indicated that the 68 Precinct sent its NCO officers to speak with the owner/management.

PPS Committee members also viewed video clips showing all doors and windows open, cabaret, loud music and music blasting with open windows from across the street with no patrons in the restaurant. PPS members also viewed a video that showed fireworks being set off by patrons of Baci and a clip with loud music and patron dancing.

37 of the 260 calls to 311 complained about Baci not adhering to Phased Reopening Violations. In fact, SLA issued 2 violations relating to phased reopening... the first 11/13/2020 and Baci was fined \$20,000 and the second issued on 1/13/2021 which is pending.

**In light of the above, a motion was made to DENY the renewal application and ask our local elected officials to assist in communicating to the NYS Liquor Authority that this establishment has disrupted the quality of life of nearby residents, demonstrated a total disregard of the Phased Reopening guidelines, as well as employees and Valet that block crosswalks, use of amplified sound on the public street and sidewalk in violation of CB10's Stipulation Agreement and is creating a disorderly environment that impacts the surrounding residential community. Motion carried.**

Full Board Approved.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Barbara Vellucci", with a stylized flourish at the end.

Barbara Vellucci  
Chair, Police and Public Safety Committee

## **Traffic and Transportation Report: June 10, 2021**

**Chair: Jaynemarie Capetanakis**

### **Committee Members:**

- Doris Cruz
- Michael Devigne (excused)
- Carmen Feliciano
- Dianne Gounardes
- Judith Grimaldi
- Steve Harrison (excused)
- Stephanie Mahaney
- Ryan Mahoney (absent)
- Dean Rasinya
- Joseph Sokoloski
- Larry Stelter
- Lori Willis, Chair
- Josephine Beckmann, District Manager

**The membership of the Traffic and Transportation Committee met in quorum via Zoom on Thursday, June 10, 2021 at 7:00 PM.**

**The first item on our agenda was from the Department of Transportation addressing the Neighborhood Loading Zones Update. NYC DOT's Neighborhood Loading Zone (NLZ) program aims to reduce double parking on narrow residential streets by providing space at the curb for activities such as:**

- Package deliveries by commercial vehicles
- Taxi and car service pick-up and drop-off
- Active loading and unloading of personal vehicles

**As demands on the City's limited amount of curb space continues to grow, trucks, delivery vehicles, and personal vehicles need safe ways to access the curbs while not blocking traffic, including on bus routes or in bike lanes. Once again, their goal is to reduce delays and increase safety. This program seeks to: Use No Parking regulations to reallocate curb space from 7 AM to 7 PM Monday to Friday; and Reduce the number of double-parking incidents as well as other unwanted standing behaviors, creating a safer and more efficient environment for all road users**

**The NLZ are about 40 feet in length and may be in front of residential buildings. They are usually on the corners of a block, but they may be mid-**

block. The zone length may be shorter or longer if it includes a fire hydrant. This does not replace parking meters. The time may be adjusted such as from 8:00 AM to 6:00 PM. Vehicles can park there when the zone-time is not in effect.

Committee members raised concerns regarding Open Streets on Third Avenue and the DOT welcomes community feedback on locations. The NLZ should meet the more specific needs of the neighborhood and the demand. There is an NLZ portal for outreach and informational materials. There are currently 24 NLZ in Brooklyn and Spring 2021 is Phase 3 of this project. The DOT does not have specific sites in mind in CB 10. If community members wanted to see what the NLZ looks like, the nearest ones are located in Sunset Park from 48<sup>th</sup> to 51<sup>st</sup> Streets, between 4<sup>th</sup> to 9<sup>th</sup> Avenues, depending on the street. DOT is opening up a suggestion map for Brooklyn Community District 10, encompassing neighborhoods of Bay Ridge, Dyker Heights, and Fort Hamilton for Neighborhood Loading Zones in the neighborhood. The map will be live for about a month, closing mid-July.

Next, we had a DDC Presentation regarding the Owls Head Greenway Connector Project. About 61% of the work is completed. The completed work includes sidewalks on 2<sup>nd</sup> Avenue and 65<sup>th</sup> Streets, concrete steel faced curb on 2<sup>nd</sup> Avenue between 62<sup>nd</sup> and 65<sup>th</sup> Streets, installation of catch basins and chute connections, and building the street foundations on 2<sup>nd</sup> Avenue between 62<sup>nd</sup> and 65<sup>th</sup> Streets. The project was originally set for completion for September 2019, but in October 2018, it was discovered that the proposed 48" sewer did not line up with the manhole and fell too close to the sheeting line. At that time, the work was stopped and meetings were held to update their plan to adapt to the road conditions. In February 2019, the DDC approved plans to relocate the manholes to avoid the conflict. The change order was registered in March 2020 and work resumed. Anticipated work includes a gas main on 2<sup>nd</sup> Avenue, new sewer lane on 2<sup>nd</sup> Avenue, extending combined sewer on 2<sup>nd</sup> Avenue and 61<sup>st</sup> Street, steel faced repair and paint on Wakeman Place, traffic cable, milling and paving. The new completion date is January 2022.

Our last item was a Street naming request for Ralph Schiano's Corner, southwest corner of 92<sup>nd</sup> Street and 3<sup>rd</sup> Avenue. This was our second meeting, which warrants a committee discussion and vote. As previously discussed last month, Ralph Schiano was a beloved businessman and family man. The Schiano family opened the Marine Market in 1938 and the store operated for 61 years on the corner of 92<sup>nd</sup> and 3<sup>rd</sup> Avenue, which is

now home to a Starbucks. The Marine Market was described as an original gourmet market known for top quality produce, specialty items and outstanding customer service. As the family and written testimonials described, Mr. Schiano spent his life in service to the community and they request to honor and recognize his contribution with this street naming. The committee members voted and all approved of this street renaming and are making our recommendation to the full board. Do we have any questions or discussion? This motion is before the full board and we are ready for our Zoom Voting.

Our meeting was adjourned at 8:00.

Respectfully Submitted,   
Jaynemarie Capetanakis  
June 19, 2021

## **Zoning and Land Use Committee Report of May 26, 2021 and on June 16, 2021**

There were also meetings of a smaller working group to discuss the various text amendments. For simplicity, I will combine the discussions of the two full committee meetings. That will simplify the report and I will not be jumping from subject to subject.

The first item on the agenda was a presentation by the 74<sup>th</sup> Street 400 Block Association asking for the Community Board's support for their request to the Landmarks Preservation Commission to have a large portion of the block designated as a historic district.

Members of the block attended CB10's community meeting on how to apply for landmark status. They were inspired by the recent landmarking of the 75<sup>th</sup> Street/Bay Ridge Parkway 400 block. They also noted that there is interest in 'limestone Brooklyn' for other parts of our borough. The applicants enlisted Board Member Henry Stewart for assistance in preparing a statement of significance.

The houses on the north side (odd number houses) were built in 1909 by developer Irving Halpern. Some of the houses on the south side (even number houses) were built in 1909 by Boyd H. Wood. Five more houses on the south side were built the following year. The historic district would include houses on the north side of the street and some on the south side. The houses have similar cornices and detailing and have not been modified in a way to change their historic significance.

A motion was made to support the request. The motion was seconded. The recommendation was unanimously supported by the committee. At this point the committee did not have a quorum, so we have a recommendation to the full board and need a motion to support the recommendation. Comments, discussion.

The second item on the agenda was a review of the Hotel Text Amendment. This was discussed at the last meeting and there were several questions that needed to be addressed. I had concerns about the C8 triangle, C4-2 zones and any zones within 1000 feet on an entrance or exit to an arterial highway. These areas would require a special permit. Also, if a permit had been filed but expired, any new/refiled permit would need to comply with the new regulations.

A motion was made and seconded. The committee met in quorum.

**Following the meeting, our neighboring board, CB 11 brought a section of the amendment to our attention.**

*"The amendments shall not apply to the following  
A transient hotel operated exclusively for the public purpose of temporary housing assistance by the City or State of New York or operated by a non-governmental entity pursuant to an active contract or written agreement with an agency of the City or State specifying such public purpose. There is more, but this paragraph covers it.*

I believe we should consider this carefully. We can approve the text amendment and disapprove the section on housing assistance. This section appears to remove community review from the siting of homeless shelters.

The section of concern is 32-02 Special Provisions for Hotels #Transient hotels#, as listed in Section 32-14 (Use Group 5).

The full committee discussed this section at the June 16, 2021 ZALUC meeting. Just as Community Boards have a role in the siting of schools, so should they have a role in the siting of homeless shelters in their communities.

A motion was made to support the Hotel Text Amendment only if this clause is removed. (AF)  
The motion was seconded (AM).

Discussion/comments

The third item on the agenda was a review of the Health and Fitness Text Amendment. You will be hearing several acronyms in the discussion.

DCP Department of City Planning

HFT Health and Fitness Text Amendment

PCE Physical Culture Establishment

Health and Fitness establishments (PCE) are gyms, day spas, massage parlors and yoga studios. Under current zoning, these establishments require a special permit in order to open. A special permit allows communities to have input into hours of operation, visibility and much more. This text amendment would remove any community input in the siting of gyms, spas, etc., of less than 10,000 square feet. It specifically says **"The Proposed Action would categorize facilities dedicated to physical fitness and health, limited to 10,000 square feet in floor area per establishment, as Use Group 6 and Use Group 14. This would allow smaller gyms, martial arts and yoga studios, and spas to open as-of-right in all commercial and manufacturing districts. Physical fitness and health facilities that are unlimited in size would be categorized as Use Group 9."**

The text amendment describes establishments of 10,000 feet or less as smaller. For a bit of perspective, a standard storefront in CB10 is 20 feet by 100 feet, 2,000 square feet. An establishment of 10,000 square feet would be the equivalent of 5 storefronts. In a community such as ours, that is not small. This text amendment would make spas and massage parlors community facilities, like medical offices. Day spas and licensed massage parlors could open as of right in commercial districts and in residential district of R 3 and up. Yes, on your block! They would not be restricted to commercial districts. The siting of gyms, yoga studios, martial arts facilities and the like would be allowed as of right in commercial districts and as of right in residential districts under certain circumstances.

Some background for newer members - and I want to note that I may be repetitive but that is because I want to help everyone understand the background and the concerns.

Massage parlors have been a problem in the past because they can be human trafficking locations. CB 10 has worked with several agencies to close massage parlors and day spas that are human trafficking sites. Massage therapists are licensed by New York State, not New York City. Without community review at the beginning of the process, there is very little oversight. There are a very small number of inspectors statewide to monitor these establishments. These establishments often have street crimes and sometimes violence associated with them. The Special Permit is the only regulatory tool available in the City of New York to determine if an establishment is licensed by New York State. Because human trafficking takes place behind closed doors, one condition that our Community Board has often requested is that there be transparency, that the inside of the establishment be visible from the street. Without the special permit, there would be no way to have that requirement. The Department of City Planning said during their presentation that a massage parlor could open **"under the supervision of a licensed massage therapist"**. The text amendment does not define what this means or how it would be enforced. Does a licensed therapist need to be on premises or merely have trained the workers? We need clarification on this. The committee has these concerns because of the illegal uses of some day spas and massage therapy sites. It has no concerns about legally operated day spas and massage therapy sites.

Gyms often have long hours, 5 AM to midnight is not unusual. They sometimes have loud music accompanying exercise routines. This is problematic in a multiuse building. Removing any community input at the beginning or the process may create problems. Also, the special permit process allows the Community Board to work with the establishment and community residents so they can together discuss a range of issues including, hours of operation, noise from music and/or HVAC (air conditioning equipment), etc.. I recall a lengthy discussion with residents concerning a gym location on a commercial street whose rear faced the rear yards of residents on the next block. These neighbors cited numerous complaints about the air conditioning unit and the impact on their quality of life. The Special Permit gave the Community Board the ability to negotiate with the PCE to help their neighbors. I will note that CB10 has not denied a Special Permit to any PCE establishment.

That is some history, now to committee concerns. The committee had many, many concerns.

The committee understands the need to help small businesses. We know that they are an essential part of our community. We have concerns about empty store fronts. Because this text amendment could have serious impact on our community and because the City of New York is giving Community Boards a very limited time to review the amendment, I asked for a small working group to meet and discuss the details and make further recommendations. Several members agreed to meet, and their concerns and comments have been incorporated into this report.

Among the issues that the working group discussed were How PCE's evolve. What is now a karate studio or a yoga studio could decide to add exercise equipment like Soul Cycle and how this would impact neighbors. The community has memories of Cross Fit on 3<sup>rd</sup> Avenue in the 80's and the negative impact on the area.

There was general support for easing barriers to small establishments in general, however, this text amendment is too broad, too sweeping.

The committee voted not to support the Health and Fitness Text Amendment.

The committee recommended that we submit a thorough response. DM Beckmann drafted a very detailed analytic response. We now have a simple summary of our objections.

*Dear Chair Lago,*

*At a duly publicized meeting held on Monday, June 21, 2021, members of Community Board 10 voted in support of a motion to Vote No on the Health and Fitness Text Amendment at this time due to many concerns raised during our review.*

*We understand that the driving force behind this effort is to remove regulatory burdens associated with the BSA special permit requirement in place for gyms, spas, and licensed massage therapy studios. We disagree that the Special Permit is no longer needed. Over the years, the Special Permit has been helpful to bring businesses and community together to address some specific concerns related to crime, noise, and other quality of life concerns.*

*Additionally, while we do not support onerous regulations that hurt small businesses, we do believe that many of the requirements currently included are necessary to ensure consumer and worker protection, as well as to maintain the quality of life for all community members. It is positive that DCP is looking for ways to help small businesses however, this proposed action is too broad.*

*Most retail shops in Community District 10 are within residential districts with a C1/ C2 overlay and in a small downtown area within the C4 and C8 Districts. They are very different areas as the C1/C2 fall within the heart of the residential district comprised of small storefronts with approximately 1700 to 2000 square feet on the ground floor. It is for this reason that we believe further study is required.*

*Therefore,, we ask that you review the following concerns:*

***1. Stand Alone Massage Therapy businesses and other Health and Fitness related establishments should not be allowed to operate As-Of- Right in Residential District/Community Facility –***

*The proposed action adds a provision that will allow stand-alone massage businesses and some health and fitness establishments to operate in the residential districts. (ZR22-14). The stand-alone massage therapy business model within Community Board 10 has been plagued with unlicensed massage therapists, concerns about human trafficking and serious crimes. Therefore, shifting this business model use to the community facility use is of great concern. Many operate into the late night/early morning hours and should not be allowed as-of-right in the community facility.*

*Additionally, we assert that accessory use makes sense for a free-standing Community Facility within the residential district, but that area must be strictly limited.*

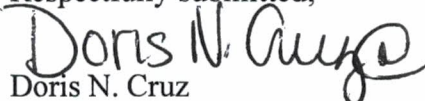
***2. The new definition of #Unlicensed Physical Treatment Establishment# and the removal of the Special Permit requirement may not be a sufficient enforcement tool***

*It is unclear if the new definition (ZR12-10) for Unlicensed Physical Treatment Establishment is adequate to address unlicensed stand-alone massage therapy businesses along the expanded retail corridors or within newly allowed residential properties/community facility use. The PCE Special Permit requirement removed in the proposed action was the only regulatory mechanism to confirm if an applicant held a New York State license. Further, the New York State license website is difficult to navigate, cannot be searched by premise location, and there is a very limited number of investigators statewide.*

***3. A 10,000 square foot business should not be included as a small business and there must be a way to hold smaller facilities to the same noise regulation as those specified for larger facilities***

*We suggest only facilities of 1500 to 2500 square feet or less be exempt from the Special Permit for gyms and related uses provided the instructional space is of so many square feet; that the visibility into the store is  $\frac{3}{4}$  of the way in the floor plan; if less than 25 percent of the space is dedicated to offices. This would create a space for the yoga studios and legitimate small businesses. They should still be subject to same noise requirements*

Respectfully submitted,



Doris N. Cruz

Chair, Zoning and Land Use Committee

## **PARKS COMMITTEE REPORT, JUNE 17, 2021**

The Parks Committee of Community Board 10 met in quorum on June 17, 2021, at 7pm. Chair Dianne Gounardes was unable to attend, so BM Henry Stewart was acting chair. Other board members present were Richard Day, Charles Elisson, Daniel Hetteix, Justin Hyatt and Wei Ging Leo. Members excused were Diane Gounardes, Marty Lentz, Habib Joudeh and Robert Oliva.

Representatives of the Parks Department attended the meeting to present their plans for the reconstruction of the 1.37-acre Russell Pedersen playground, on Colonial Road between 83rd and 85th streets, adjacent to the Fort Hamilton High School athletic field. The cost is \$5.4 million, funded by Councilmember Justin Brannan. Designer Mike Mason explained that his goals were to separate better the areas for adults from the areas for children; improve circulation; upgrade equipment; add seating areas; and create a more welcoming perimeter and entrances. The playground is outside the flood-risk zone. The basketball and handball courts are not a part of this redesign, because of financial constraints.

The redesign will seal the entrance that exists on 83rd Street and replace it with a new entrance at the corner of 83rd Street and Colonial Road, leading directly to the crosswalks. The two entrances on Colonial Road opposite 84th Street will be combined into one entrance. Inside the new corner entrance, on the left will be a shaded seating area overlooking play equipment, on the right, for children ages 5 to 12; behind that will be four bays of swings, including one accessible bay. Down the path, on the left, will be new play equipment for children ages 2 to 5; across the path will be painted games, and behind that, another four bays of swings for younger children, including one bay of accessible swings.

Inside the 84th Street entrance, on the right will be an area for water play, on the left will be a seating area, in line with the comfort station. This will help separate the areas for children and the areas for adults. Between the basketball court and the seating area will be a large, shaded area for adult fitness. A new eight-foot fence will be placed between the playground and the high school athletic field, and a new four-foot steel picket fence will be built around the perimeter. Within the park will be two- and three-foot steel fences. Five new lights will be placed along the two main circulation paths, in addition to the existing lights.

The play equipment will include lots of slides and things to climb. The flooring will be standard rubber marble safety flooring, green and tan. The fitness area will include diverse equipment for working out all parts of the body. A small nook near the water-play area will be used to store trash. The trees and shrubs will be hearty and low-maintenance. There will be several bottle-filling stations and water fountains.

BM Day expressed disappointment that the handball and basketball courts could not be a part of this project. BM Stewart asked if there were plans to do that in the future. Mr. Mason said there were tentative plans and some internal planning, but that there was no funding and thus it could not move forward. BM Hetteix asked if there were anything in the present plan that could conflict with a future plan for the courts, and Mr. Mason said that all water, electric and drainage lines that are a part of this renovation would be built out to the edge of the basketball court, so that new work would be relatively easy. BM Elisson asked if the comfort station would be upgraded as well, and

Mr. Mason said there would be a new Reduced Pressure Zone device, but otherwise no. BM Elisson also asked about the entrances. Mr. Mason said there would be benches outside and just inside the new 83rd Street entrance and nice four-foot steel gates, and he would look at other amenities, such as bike racks. His goal, he said, was to make it more welcoming, like an extension of the sidewalk, drawing people in.

Joe Feldman, a member of the public and former member of the playground's friends group, asked if those gates could be locked if there were problems. District Manager Josephine Beckmann explained that there had been issues there in the past with vandalism, so it had been locked in the evenings. Mr. Mason said the new gates would be lockable. The fences, however, will be lower, to make the park seem more welcoming. Ms. Beckmann asked a question from the chat about whether new drainage would be added, as there are flooding problems on Colonial Road after heavy rainstorms. Mr. Mason said the entire drainage system within the park would be rebuilt. Someone asked if it could be connected with the drainage system in the ball field, and Mr. Mason said no, because that would cause construction issues because of the large retaining wall, and because that work was done by School Construction Authority. Dennis Flynn, of the Parks Department, added it would also probably lead to killing some of the large trees.

Another question regarded whether the handball and basketball courts would get new fencing, and Mr. Mason said the four-foot perimeter fence could be extended all the way to the corner of 85th Street, but that the courts would also need sports fencing—12- or 16-foot chainlink. Another question regarded leaves and trash blowing out of the park. Jim Morris, from the Parks Department, said this meeting was only about the design of the reconstruction, but that if there are problems there with trash, those issues can be relayed to parks' operations staff. Another regarded where trash cans would be placed. Mr. Mason said they would be placed throughout, at entrances and in seating areas.

Another question asked if the floor piano presently in the park, perhaps for children on the spectrum, will be replaced. Mr. Mason said no. He was asked to reconsider, but he said there would be a lot of sensory panels in the play areas that would replicate the floor piano's play value. BM Stewart asked about the timeline. Mr. Mason said the contract drawings would be done over the next six months, and then it would go to the Office of Management and Budget for about a year, and then construction would start. He said, if everything goes according to plan, the ribbon cutting would be in about two and a half years. Mr. Morris added that because of COVID, a lot of construction projects are up in the air.

Another question asked if the work would be done in phases, and Mr. Flynn said no. The handball and basketball courts should be able to be kept open during construction. The Fort Hamilton athletic courts, along the field, should also be renovated by then; construction should not overlap.

A motion was made by BM Hetteix to support this redesign; it was seconded by BM Hyatt. The motion passed unanimously.

Respectfully submitted,

  
Henry Stewart

Acting Chair, Parks Committee

The Department of Veterans' Affairs meeting took place remotely on May 7, 2021. Commissioner James Henden led the conference virtually. He was accompanied by Lieutenant Terrance Holliday. Future meetings will be held every six months, in May and October. New website: NYC.gov/Vets. The DVA is located at 1 Centre Street in Manhattan.

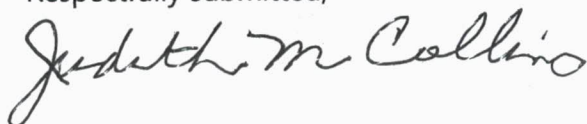
Some data was shared. In 1980, 18% of Americans served in the military. Now, it is about 7% of the population. According to speakers, veterans can be identified by their zip codes. The DVA wants to be there for the next generation of vets in New York City. The speakers pointed that there used to be jobs set aside for returning vets but not anymore. Colonel Henson explained that Affordable Housing is limited right now. Mitchell-Lama applications exist but they are limited to obtain and currently applicants are being wait-listed.

Some of the services DVA provide are help for vets trying to upgrade their Discharges due to Jim Crow, PTSD and other matters. New York State has a real estate tax exemption for Cold War Vets, but it does not apply to New York City vets. There are Suicide Prevention Services for vets in Staten Island and Queens but none in Brooklyn or the Bronx. The DVA has accredited counselors to work with vets and their families particularly during the pandemic. Volunteers also were active on food insecurity, rent and utilities needs. The DVA has a homeless program that was very busy during COVID. They are very proud of their funeral service program. This year marks the twentieth anniversary of Desert Storm.

The meeting closed with a reminder that it is always appreciated when you thank a vet for his or service.

Following the meeting, the Veteran's Services Commissioner announced that all veterans with an honorable discharge are now able to take civil service exams without paying a fee. He said the fee waiver will strengthen the city's workforce and keep us competitive as we recover from a challenging year.

Respectfully submitted,

A handwritten signature in cursive script that reads "Judith M. Collins". The signature is written in dark ink and is positioned above the printed name and title.

Judith Collins  
Military and Veterans Liaison