

Community Board Ten Board Meeting Attendance
Meeting Held on Zoom Platform – Livestreamed on YouTube
Monday, September 20, 2021

Board Members Present:(41)

Jonathan Bova
Tracie Britton
Jaynemie Capetanakis
Shirley Chin
Judith M. Collins
Doris Cruz
Richard Day
Chris Elisson
Ann Falutico
Carmen Feliciano
Preston Ferraiuolo
Michael Festa
Senja Frangipani
Barbara Germack
Dianne Gounardes
Ruth Greenfield-Masyr
Judith Grimaldi
Stephen Harrison
Daniel Hetteix
Justin Hyatt
Jill Infantolino-Hajjar
Dr. Habib Joudeh
Stella Kokolis
Marty Lentz
Wai Ging Leo
Nikolaos Leonardos
Ryan Mahoney
Anthony Marino
Essa Masoud
Nicholas Massab
Iris Mulé
Robert Oliva
Dean Rasinya
Dr. Husam Rimawi
Stephanie Simone-Mahaney
Joseph Sokoloski
Henry Stewart
Jana Taoube
Julie Thum
Sandy Vallas
Barbara Vellucci
Edward Yoo

Excused:(3)

June Johnson
Lawrence Stelter
Lori Willis

Absent:(2)

John Heffernan
Michael Xie

COMMUNITY BOARD TEN GENERAL BOARD MEETING MINUTES
SEPTEMBER 20, 2021 – LIVESTREAM LINK BELOW
<https://www.youtube.com/watch?v=IgU6gQS-ujU>

In the absence of Board Chair Willis, Vice Chair Jaynemie Capetanakis called the meeting to order at 7:00 PM followed by the Pledge of Allegiance.

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

Vice Chair Capetanakis asked for a motion from the floor to adopt the Minutes from the June 21, 2021 General Board Meeting. Motion by BM Gounardes, second by BM Thum. All in favor. Motion carried.

PUBLIC SESSION

Assembly Member Pater Abbate greeted the audience and thanked DM Beckmann and BM Stephen Harrison for all their efforts. He stated that later in this meeting there will be a discussion about the Traffic and Transportation Committee's recommendations on the changing of 7th and 8th Avenue traffic patterns. Assembly Member Abbate voiced that he wanted to clarify that he is not against implementing bike lanes and he noted that bike lanes should be sited in the appropriate locations. He believes that the current plans that were presented by the Department of Transportation regarding the proposed changes to 7th and 8th Avenue traffic patterns are dangerous for residents in Bay Ridge and Sunset Park. He mentioned that he hopes people of the public will have an opportunity to review the plans. Assembly Member Abbate spoke about the traffic coming off the highway becoming a catastrophe at 65th Street and 7th Avenue. He said for years he tried to have the Department of Transportation modify their plans regarding the auto body shops located at the corner of 65th Street and 8th Avenue. The Assembly Member stated that near the ball field traffic will be reduced to one lane and he believes this would become a tragedy. He pointed out that now the plans show bus stops would be every five blocks as opposed to the current every two blocks and this will affect seniors. The Assembly Member reiterated what community member stated at the Traffic and Transportation Committee meeting - that this is a Department of Transportation plan not a community plan. Assembly Member Abbate thanked the audience and took questions.

Assembly Member Marcela Mitaynes greeted the audience and introduced herself. She mentioned that this is her ninth month representing the 51st Assembly District in Red Hook, Sunset Park, and northern Bay Ridge. She informed the audience that her District Office is located at 4907 4th Avenue, Suite 1A, Brooklyn, New York 11220 and that her office is available if needed. She mentioned some legislative priorities that she was able to pass this year. Assembly Member Mitaynes announced that there are grants available for small businesses. The Assembly Member voiced her concerns about the changing of 7th and 8th Avenue traffic patterns and added that there was a similar matter on 4th Avenue that was agreed upon and had caused issues. Assembly Member Mitaynes thanked the audience.

Ayah Hamdan, Constituent Liaison representing Assembly Member Mathylde Frontus, greeted the audience on behalf of herself and the Assembly Member. She announced that Assembly Member Frontus continues to work hard on behalf of her district. She stated that their office is located at 310 93rd Street and is currently open from 10:00 am to 4:00 pm. Ms. Hamdan added that if anyone had concerns, their office can be contacted via phone at 347-560-6302 before thanking the audience.

Tori Kelly representing State Senator Gounardes greeted the audience. She announced that they are looking forward to working with Governor Kathy Hochul. Ms. Kelly noted that Governor Hochul had already signed legislation extending computer-generated admission to community meetings under New York State's Open Meetings Law, which allows New Yorkers to virtually participate in local government meetings throughout the pandemic. She said that their office had been helping residents apply for the Emergency Rental Assistance Program (ERAP). She pointed out that their office went from being ranked fifty out of fifty to being ranked in the top five for getting funds to landlords. Ms. Kelly stated that she will provide their office information in the chat for anyone who may need assistance. She spoke about how people were affected by Hurricane Ida and said that currently there is assistance available from the Comptroller's Office from FEMA. Ms. Kelly reiterated that anyone who may need assistance can reach out to their office and thanked the audience.

Michael Sheldon representing Council Member Justin Brannan greeted the audience and expressed that he was glad to hear that people were having in-person events over the summer, adding that Council Member Brannan felt the same way. He noted that the pandemic is still going on, but it was nice to get some sort of normalcy back. Mr. Sheldon announced that there will be a street renaming this Saturday, September 25, 2021 honoring Dominick Della Rocca at 69th Street and Shore Road. He mentioned that more information can be provided by contacting their office. He stated that they will be hosting a Community E-Waste and Shredding Event, October 9, 2021 starting at 10:00 am at St. Anselm Church parking lot. Mr. Sheldon spoke about programs being restored from the most recent budget cuts in addition to the NYC Cleanup Corps. coming back to the district in a more visible way. Mr. Sheldon stated that their office is located at 8023 3rd Avenue and they can be contacted if needed via phone at 718-748-5200. Mr. Sheldon thanked the audience.

Nancy Lulu, representing Brooklyn District Attorney Eric Gonzalez, greeted the audience on behalf of herself and the District Attorney. She said the District Attorney is committed to keeping Brooklyn safe. 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. Ms. Lulu thanked the audience.

Jessica Kallo from the Borough President's office greeted the audience and thanked Community Board Ten for inviting her to attend this meeting. Ms. Kallo voiced that she is glad to be back and see familiar faces.

Brad Hennessy resident of Bay Ridge, Brooklyn greeted the audience. He spoke about the flooding that occurs in his basement due to the backup in the sewer lines. Mr. Hennessy pointed out that the flooding didn't only happen from Hurricane Ida but from rainstorms as well. He noted that in any sort of rainstorm lasting more than twenty minutes would flood his basement. Mr. Hennessy voiced his concerns that there is an elderly woman living on her own in his basement and that she fell due to the flooding from the backup sewers. He stated that the elderly woman shouldn't have to worry about this issue. He pointed out that the city fixed the sewer lines on 10th Avenue from 62nd Street to 77th Street but stopped due to no more funds in the budget. Mr. Hennessy said that this is a city issue, but the city is forcing it to become a problem for property owners. Vice Chair Capetanakis asked for clarification that this is an issue regarding sewer backups and flooding along 10th Avenue. She asked if there were specific streets as Mr. Hennessy noted in the chat, that he is not only speaking for himself but for his neighbors as well. DM Beckmann pointed out that Mr. Hennessy had organized nearby neighbors wherein Council Member Justin Brannan had a meeting a few weeks ago regarding this topic. DM Beckmann noted that next month when Community Board Ten ranks their budget priorities she will be updating the list to include 10th Avenue from 77th Street to 86th Street for a capital improvement for new sewers, adding that the District Office had been contacted by many residents. DM Beckmann thanked Mr. Hennessy for attending this meeting and voicing his concerns to Community Board Ten.

Nina Batiato resident of Dyker Heights, Brooklyn spoke about the traffic patterns and the affects to residents on her block if the Department of Transportation places angle parking on a residential block after removing angle parking from 66th Street. She asked if this was the Department of Transportation intentions. DM Beckmann replied yes, and she thanked Ms. Batiato for reaching out to the District Office. DM Beckmann pointed out to the Board Members that many years ago petitions were submitted to Community Board Ten with over one hundred signatures from residents opposed to back in angle parking in the residential district, specifically on 67th street. DM Beckmann mentioned that later in this meeting the Traffic and Transportation Committee will submit their report with details regarding angle parking which the Department of Transportation included on their plans. DM Beckmann thanked Ms. Batiato for organizing her neighbors and sending the petitions to Community Board Ten and to the Elected Officials.

Gabrielle Napolitano representing PS Family NYC greeted the audience and introduced herself. PS Family NYC is an agency funded through the Department of Education. She noted that they are accountable for managing one of the largest family care networks in NYC. Ms. Napolitano voiced that childcare is currently needed and PS Family works directly with in-home care providers supporting their businesses and helping families find affordable and free childcare throughout Brooklyn and Queens. PS Family NYC will be hosting a free virtual information session for childcare providers on Wednesday, September 29, 2021 and she mentioned more information will be provided in the chat. Ms. Napolitano noted that more details could be found on their website at www.psfamilynyc.org and reiterated that their agency is funded through the Department of Education.

Frank Fontana representing Department of Buildings greeted the audience. He mentioned that any homeowner that was affected by Hurricane Ida and filed a claim with FEMA that was self-reported to the Department of Buildings regarding a DOB issue will be investigated as a risk capacity. This allows inspectors to investigate if there was any danger to the property, property owner or the public. Mr. Fontana explained that if the inspector reported that everything was structurally stable, then there isn't anything issued by the Department of Buildings to the homeowner but if the inspector found any structural issue, then the Department of Buildings would possibly issue a deficiency notice which is not a violation. The deficiency notice informs property owners that the Department of Buildings found an issue with their property and must steps to take to rectify the problem. Mr. Fontana noted that any homeowner that was affect by Hurricane Ida must file for a permit to make repairs and he pointed out that the Executive Order made by NYC states permit fees would be waived for property owners if affected by Hurricane Ida. He stated that the Department of Buildings recently finished what took three-months of visiting construction sites throughout the city adding that their main goal is to ensure construction workers are getting home safely without any sort of injuries. The Department of Buildings visited over 7,500 sites city-wide and issued approximately 3,600 violations. In Brooklyn 2,757 sites were visited and out of that 1,252 sites received violations and 425 sites were issued a Stop Work Order. Mr. Fontana also discussed the Homeowner Relief Program. This program helps reduce the financial burden to one to two family homeowners whenever a violation is received by the Department of Buildings. The homeowner wouldn't receive the violation immediately, but instead they will be informed of the condition and the homeowner would have sixty days to rectify the issue. After the sixty days the property will be reinspected and if the issue is rectified the violation will be dismissed and there wouldn't be any penalties. This applies to homeowners that have not received a violation within the last five years and this doesn't include any homes that were illegally converted. He stated that there are resources for new property owners when buying a property. Mr. Fontana thanked the audience.

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 Barbara Vellucci rendered the Committee report. See attached.

Motion: CB 10 to deny the application for a New SLA Wine/Beer/Cider license for Aloni Restaurant Corp., d/b/a Mr. Chips, 7506 3rd Avenue, Brooklyn, New York 11209, unless the owner agrees to the stipulations.

Brief discussion followed.

In depth discussion regarding amplified music took place. Discussion about outdoor roadway space was also discussed and the Attorney for Aloni Restaurant Corp. verified that there is a bus stop in front of this establishment and there will be no usage of outdoor roadway space. It was noted that this site was the location of the former Light House Diner.

Motion: CB 10 to deny the application for a New SLA Wine/Beer/Cider license for Aloni Restaurant Corp., d/b/a Mr. Chips, 7506 3rd Avenue, Brooklyn, New York 11209, unless the owner agrees to the following stipulations:

- **The premise will operate as a restaurant.**
- **There will be no sale or consumption of alcohol on the premises until appropriate authorization is issued by the SLA.**

- **The hours of operation will be Sunday-Wednesday 6AM – 11PM, Thursday 6AM – 2AM, and Friday and Saturday 6AM – 4AM for alcohol sales and 24 hours for food service. The doors and windows are to remain closed in coordination with any amplified music.**
- **There will only be background recorded music. The sound level will remain below the level permitted by the NYC Noise Code.**
- **There will be no music on the outside of the premises, and there will be no use of outdoor space.**
- **The licensee shall not use any promoter or have promoted events.**
- **There will be no smoking permitted.**
- **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.**

37 in favor; 1 abstention – BM Masoud. Motion carried.

Motion: CB 10 to deny the application for a New SLA Wine/Beer/Cider license for Vivala Pizza, Inc., 6305 Fort Hamilton Parkway, Brooklyn, New York 11219, unless the owner agrees to the stipulations.

Discussion followed.

A correction was made to the hours of operation to state that the establishment will be operating seven days a week. In addition, an in-depth conversation regarding amplified music took place.

Motion: CB 10 to deny the application for a New SLA Wine/Beer/Cider license for Vivala Pizza, Inc., 6305 Fort Hamilton Parkway, Brooklyn, New York 11219, unless the owner agrees to the following stipulations:

- **The premise will operate as a restaurant.**
- **There will be no sale or consumption of alcohol on the premises until appropriate authorization is issued by the SLA.**
- **The hours of operation will be Sunday – Saturday 11AM – 10PM. The doors and windows are to remain closed in coordination with any amplified music.**
- **There will only be background recorded music. The sound level will be monitored and remain below the level permitted by the NYC Noise Code.**
- **There will be no music on the outside of the premises, and there will be no use of outdoor space.**
- **The licensee shall not use any promoter or have promoted events.**
- **There will be no smoking permitted.**
- **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.**

38 in favor. Motion carried unanimously.

TRAFFIC AND TRANSPORTATION COMMITTEE

Traffic and Transportation Committee Chair Anthony Marino rendered the Committee report. See attached.

Motion: CB 10 to deny the 7th and 8th Avenue One Way Conversion Proposal as presented based on the following feedback and concerns expressed by the members of the public and committee.

Discussion followed.

BM Infantolino-Hajjar thanked Committee Chair Marino for his in-depth Committee report. She noted that this area is a mess, and something needs to be done to address the current conditions. Committee Chair Marino stated that after the proposed plan was presented by the Department of Transportation to the Committee, he believes that DOT is not taking community feedback into consideration. He asked Vice Chair Capetanakis if she would like to comment on this topic. Vice Chair Capetanakis explained that the Community Board plays only an advisory role on this topic. She explained that the plan was presented to the Board which was followed by community feedback which is then sent to the Department of Transportation highlighting all the concerns. Vice Chair Capetanakis noted that the concerns that were raised had influenced the Committee's decision not to support the proposed plan adding that the Committee was very specific as to why they weren't in favor. BM Infantolino-Hajjar reiterated that this area is a mess and said something needs to be done to rectify the current problems. DM Beckmann mentioned that in prior meetings some of these issues were raised and the Community Board had anticipated meeting with other Community Boards to come up with a plan to address the sidewalk congestion. DM Beckmann said that to properly rectify some of the current issues a truck survey needs to be done by the Department of Transportation which Board 7 had requested previously. She said that the last report given by the Department of Transportation suggested that truck congestion is a huge factor adding to the congestion in this area. DM Beckmann agreed with BM Infantolino-Hajjar adding that all these issues require planning, civic engagement, and multi-agency interaction. She stated that we are moving forward without addressing the underlying conditions that create the traffic congestion.

BM Rasinya mentioned that residents on 67th Street are not in favor of this proposal due to the vehicles backing into angle parking and having the headlights shine directly into the first floor of their homes. BM Rasinya said that this problem is not pleasant for residents and he noted that this was addressed in the past.

BM Joudeh stated that at least once a day he passes this location and pointed out that there is never any traffic agent and/or traffic enforcement in this area to assist with the traffic congestion. He expressed that vehicles are overcrowding the roadway with drivers double and triple parking. He suggested that the Department of Transportation start enforcing traffic rules to reduce traffic congestion. DM Beckmann responded that this topic was raised by residents and was discussed.

BM Falutico pointed out that the situation on 13th Avenue and 14th Avenue from 39th Street to 60th Street has been a one-way situation for a long time and that this proposal is comparable to that situation. She voiced that she was unsure of what the Board had learned regarding this area from residents whether it was negative or positive with 13th Avenue being heavily commercial from 39th Street to 60th Street and conversely 14th Avenue being heavily residential. She expressed that this is something that might be beneficial to investigate.

BM Thum inquired what happens now as past discussions lead to Community Board review and community feedback and the Department of Transportation ends up completing a proposed plan whether or not the Board or residents are in favor regardless of the concerns. DM Beckmann replied that a letter will be sent from the Community Board to the Department of Transportation listing all concerns.

Committee Chair Marino expressed that the residents in this area will be directly affected. He noted that this is a big concern for residents adding that they attended the public meeting well prepared and organized. Committee Chair Marino said that this is not something only coming from the Community Board but is coming directly from the residents as they feel they are not being heard.

DM Beckmann reiterated that the emotion in the room from residents was palpable and added that BM Rasinya encouraged those residents to express their concerns to their Elected Officials and that the Community Board will list their concerns to the Department of Transportation.

BM Rasinya commented on BM Falutico's statement regarding the one-way situation on 13th Avenue and 14th Avenue from 39th Street to 60th Street noting that he had been in this area several times and there are trucks double parked on both sides at times making deliveries causing traffic conditions. He mentioned that if people can investigate this area themselves to please do so as one-way streets is not always the correct answer.

DM Beckmann expressed concern about the plan for 65th Street and 7th Avenue. The Board had spent a long time trying to improve pedestrian crossing at that intersection and now DOT plans to make this the cut off where traffic will converge at one of the most dangerous intersections in the Board. After coming off the exit all traffic will now be forced onto 65th Street which was narrowed for pedestrian safety. She added that photos were shown earlier and that she just wanted to highlight this topic as it was not previously mentioned.

BM Cruz reiterated what BM Falutico said regarding the difference on 13th Avenue and 14th Avenue that one avenue is more commercial, and the other avenue is more residential. BM Cruz explained that 8th Avenue is more commercial than 7th Avenue and she pointed out that the Department of Transportation plan places more loading zones on 7th Avenue because they aren't familiar with the area. She mentioned that when asked to present a better plan the Department of Transportation said no which she felt was unacceptable.

BM Harrison commented on what BM Thum said with regards to civic engagement being an exercise in futility if the Department of Transportation doesn't listen. He acknowledged that they aren't listening but the correct way to respond to that is on election day because it's more in depth than just a few representatives coming from the Department of Transportation to speak. BM Harrison expressed that the outcome might not be what the community wants regarding this topic but the power the community has might make a difference in the future. BM Harrison stated that the public outreach wasn't pointless as the Board went to court so the law is properly obeyed, and he pointed out that the City Council implemented these rules and regulations. He noted that everyone should be mindful of what the Board does and why it is done.

BM Leo asked for clarification as to why the residents in this area were opposed to the one-way traffic conversion at 7th Avenue and 8th Avenue. Committee Chair Marino replied that he believes that the residents were upset because the plan was being implemented without any actual feedback. He pointed out that there will be a change in direction for the buses and that there are some issues with a lot of businesses and vendors. BM Harrison explained that the residents voiced that implementing bike lanes and having a reduction down to one driving lane in one direction and you're left with two lanes of traffic being removed. He mentioned that it wouldn't be possible to ever correct the traffic congestion as the Department of Transportation is stating. BM Harrison mentioned that one of the concerns is that removing lanes on 8th Avenue might impact the businesses by now having customers go around the block to go the other way. BM Leo inquired if the Department of Transportation had conducted a traffic study. DM Beckmann replied that there's a big portion of this plan that limits the traffic to one lane on 8th Avenue which is a ten-block segment. She also described that when a protected bicycle lane is implemented a portion of the curb is removed and now the roadway will become narrower. DM Beckmann continued to explain that adding a truck loading and unloading zone prohibits parking and with the traffic volume in this area and without any sort of enforcement this area will become a bigger issue. She noted that there will still be traffic congestion and that the roadway design for a ten-block segment on one of the busiest sections of the district will become one lane. BM Leo responded that the way it is currently with traffic going in two different directions people are still double parking and trucks are still parking for deliveries. BM Harrison mentioned that is going to happen regardless if it is one-way traffic or two-way traffic. BM Leo replied that she realizes what is being done and asked if an actual traffic study was conducted. DM Beckmann answered that residents had asked the Department of Transportation and the Department of Environmental Protection to conduct a study. DM Beckmann noted that there weren't any impact studies on traffic diversion or traffic volume. DM Beckmann stated that the Department of Transportation was asked how comprehensive the studies were and she said the numbers have not been provided to the Board yet.

Vice Chair Capetanakis pointed out that the Department of Transportation mentioned that they were mindful of the problems in this area, but they had limited options on how these issues could be rectified. Vice Chair Capetanakis explained that sometimes the Department of Transportation would narrow the streets if speeding is an issue, however, this is not the case here, pointing out the issue in this area is the volume of traffic, the amount of cyclists and the volume of pedestrians.

She mentioned that for the same reasons that the Department of Transportation felt they were making these recommendations for the one-way conversion the individuals who were in the audience who came to speak had expressed that these were the same reasons why they were against their proposal. She noted that residents stated that this area is a pedestrian corridor, and the proposal might impact the pedestrians crossing the street thereby affecting businesses which have been impacted over the last eighteen months. She spoke about traffic changes implemented by DOT near PS 69 on 9th Avenue between 62nd and 64th Street including a one-way conversion to help to eliminate the issues with two-way traffic they were having. She added that now there is a dead head on 64th Street which is violated on a daily basis and there is a lack of enforcement.

BM Cruz voiced her concerns on what will happen with the bus routes on 7th Avenue and 8th Avenue and when the Department of Sanitation picks up the garbage in this area. She expressed that this area would become a complete standstill and that will disturb the quality of life for nearby residents. BM Cruz thanked the audience.

BM Infantolino-Hajjar noted that she had been listening to Brooklyn Borough President Eric Adams where he had proposed truck deliveries should be done in the evening hours. She said that it had made sense to her and voiced that this might help with traffic congestion especially in a commercial area. BM Infantolino-Hajjar asked if there was anything that the city council could propose outside of city regulations as she felt that it might be helpful if the city council gets involved. Committee Chair Marino replied that this would be a huge undertaking which could make a lot of sense. Committee Chair Marino said that he couldn't imagine this is something that the Board could accomplish now but it could possibly be done moving forward.

BM Germack pointed out that one suggestion was made to widen the sidewalks, adding that the merchants were concerned that it would attract peddlers. She stated that this is a plan that doesn't interest anyone.

BM Hetteix responded to BM Infantolino-Hajjar regarding deliveries taking place in the evening hours. BM Hetteix noted that he believed that the evening time deliveries started in Downtown Brooklyn under former NYC Mayor Michael Bloomberg and said that this would be interesting for Bay Ridge. He pointed out that one of the concerns were that the business owners would have to be available for truck deliveries in the late evening hours and that wasn't always possible. BM Hetteix mentioned that one of the suggestions he believed was that if there was a trusted employee to give keys to that would accept late evening deliveries. He voiced that this had been going on for approximately ten years in Downtown Brooklyn and there should be data that could be obtained to investigate this suggestion further for Bay Ridge. He spoke about the benefits of one-way lanes for congested traffic conditions, and he stated that stop lights is what slows vehicles down in most cities not the number of lanes.

BM Leo stated that she was in favor of the one-way conversion at 7th Avenue and 8th Avenue. BM Leo noted that she was a little surprised that the community was not in favor but couldn't speak for residents as she doesn't live in that area.

BM Rasinya pointed out that two separate times the Department of Transportation had stated that one-way streets will not work in this area. He voiced that now the Department of Transportation said they have new tools in the toolbox, and he is unsure what that means. He also responded to what BM Infantolino-Hajjar had said regarding truck deliveries in the evening hours adding that the trucking industry would have a lot to say as the truck drivers are only permitted to drive a certain number of hours. BM Rasinya expressed that it is a good suggestion, but it would be a massive undertaking to coordinate with the trucking industry.

DM Beckmann added to BM Leo's point that there were some who were supportive of the one-way conversion. She explained that narrowing the roadway to one lane for a big portion with a protected bicycle lane, without addressing the pedestrian congestion on the sidewalks which they felt was the main reason why pedestrians are forced into the roadway, will not change with a one-way conversion. Unless those sidewalk issues are addressed, we will still have pedestrians continuing to walk in the roadway. She stated that was the main reason why most residents were not in favor of the one-way conversion proposal as presented.

Motion: CB 10 to deny the 7th and 8th Avenue One Way Conversion Proposal as presented based on the following feedback and concerns expressed by the members of the public and committee:

- **65th Street at 7th Avenue - Dead Head at one of the highest crash corridors in the district that this Board worked closely with DOT to improve. 7th Avenue southbound traffic will converge with northbound 7th Avenue traffic at 65th Street - which many fear is dangerous for all users of the roadway. CB10 previously voted to eliminate 7am to 10am morning commute regulation on 65th Street and increased turning movement will be significant.**
- **Insufficient Outreach - Civic Engagement. Many community-based organizations who were part of the survey were deeply upset that DOT did not return to continue the civic engagement process or discuss the proposal.**
- **No statistical data provided on number of commercial deliveries, bicycles traveling north vs. southbound. A one-way protected bike lane on 8th Avenue is insufficient as commercial bicycle use is heavy in both directions.**
- **DOT limited study area to 7th and 8th Avenue and did not include impacts to 6th Avenue, 9th Avenue, Fort Hamilton Parkway and 65th Street corridor.**
- **Rerouting of buses, elimination of commuter van stops and consolidation of bus stops impacts to seniors who will need to walk additional blocks. There will also be future impact to intermodal connection at 8th Avenue N train stop, which will be ADA accessible this contract period.**
- **This northern section of CB10 and the entire project area falls within an Environmental Justice area. There are many who believe an environmental impact study is required. This was not completed.**
- **While not a statutory requirement, the callous disregard to requests to return following the input of the community was upsetting. We request DOT returns to the community to present changes and continue civic engagement before proceeding with implementation of any changes to 7th and 8th Avenue.**
- **Administrative Code requires review by FDNY, NYPD and SBS - these certifications were not provided and we would like to request copies especially since there is a FDNY - EMS dispatch building within the project limits at 5011 7th Avenue.**
- **67th Street residents oppose back in angle parking.**
- **DSNY and private carter collection will be impacted.**
- **DOT proposal did not address the very sidewalk and street level conditions that create obstructions that force pedestrians into the street - including crowded sidewalk caused by unlicensed vending, truck congestion - new loading and unloading zones not sufficient for volume of trucks and significant double parking on every block.**
- **66th Street proposed design would create backups and bottlenecks at 7th Avenue as truck-loading zone created on 66th Street off 7th Avenue often has trucks on both sides of roadway.**
- **Neighbors brought up concerns about heavy traffic volumes at exit 65th Street at 7th Avenue no longer being able to head north to Sunset Park and will be forced to turn right onto 65th Street**

32 in favor; 1 abstention – BM Hyatt; 5 opposed – BM Leo, BM Infantolino-Hajjar, BM Stewart, Hetteix, BM Yoo. Motion carried.

ZONING AND LAND USE COMMITTEE

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

Motion: CB 10 to oppose the NYC Department of City Planning proposed Citywide Open Restaurants Text Amendment and share Community Board Ten's concerns with the NYC Department of City Planning:

Discussion followed.

BM Vellucci expressed that there are some similarities when speaking about lack of enforcement. She noted that there is a restaurant in the 60's on 11th Avenue that has outdoor dining on both sidewalk and in roadway where pedestrians are unable to walk on the sidewalk. BM Vellucci noted that this issue is very frustrating to her. She thanked Committee Chair Cruz and the Board for all their efforts regarding this matter. BM Joudeh stated that there is no enforcement regarding outdoor dining, some of the shacks are crumbling and falling down, and no one enforces them.

BM Taoube announced that between an establishment on the corner of 86th Street and 4th Avenue with outdoor dining and the subway there isn't enough space to pass through especially a person who is wheelchair bound. She asked if the Board is going to request more enforcement and restrictions because it is getting out of hand. DM Beckmann replied that was the concern and that the Zoning Resolution lists clear path restrictions and that will be eliminated in this proposal. DM Beckmann stated that the disabled community raised this concern. Committee Chair Cruz noted that residents state that currently it is very difficult for people with a disability to get off the bus on 5th Avenue.

BM Mulé stated that this is a citywide issue that was extended until 2022 because of the pandemic and there should be more conclusive studies being done to know the impact it will have in communities throughout the city. She noted that this could be beneficial to restaurants, but it needs to be better managed.

BM Hetteix commended Committee Chair Cruz and the Zoning and Land Use Committee for all their time and dedication. He noted that he appreciates the outdoor dining as it helped him with his mental well-being seeing these vibrant setups, but having a family member who is wheelchair bound he has experienced how frustrating it is getting around them this every. BM Hetteix questioned if there was any consideration by the Committee for an acceptance with conditions or if the Board felt that this had gone too far that an outright rejection was the only way to go.

Committee Chair Cruz responded that the text amendment states that the current regulations are being taken away. After voting on this matter, they will let us know what the new regulations are. She added that this had created a discussion about uses of our streets and how they can be used. The discussions were about shared uses and not commercial uses. She mentioned that this proposal is giving away the street space and the Board doesn't know what for and with what conditions. Committee Chair Cruz stated that she believes that is the biggest concern.

BM Harrison pointed out what BM Hetteix had asked if the Board felt that this had gone too far, and he voiced that it didn't go far enough because the Board still doesn't know what they are voting on. He pointed out that the Department of Transportation is fundamentally saying that they're going to put sheds on the sidewalk and in the roadway. He explained that they're not informing the Board what the parameters are, they're not specifying what the regulations would be, and they're not letting the Board know who's going to enforce it. BM Harrison expressed that currently the sidewalk cafes were done correctly but now it's like the Department of Transportation would be in charge without knowing what they're going to oversee and what they're going to be able to enforce. He noted that the Board is being asked to vote on rules when there isn't any concept. He noted that the Board had always been accepting to the sidewalk cafes. Committee Chair Cruz and BM Harrison pointed out that the Board never rejected a sidewalk café. BM Harrison said that the Board has always been cautious of ensuring that the sidewalk cafes would be least disruptive as possible which he finds to be fair.

BM Hetteix suggested to start a larger discussion about what public space really means in Bay Ridge. He noted that one of the few powers that a Community Board rarely uses is a 197A plan. He explained that the 197A plan is where the Community Board gets together and comes up with a planning document that they themselves create on their own. This is a guiding force for the Department of City Planning. He believes it was used in the early 1990's in Williamsburg for its rezoning. He stated that he would like to see if this is something that the Board would consider.

BM Gounardes mentioned that she is bothered that the Department of Transportation is asking the Board to vote on something that has no concept and that they are not really listening to community feedback.

BM Grimaldi voiced that she is not in favor of permanently having outdoor dining as this was a way that establishments could survive during the pandemic and it is not a typical sidewalk café. She noted that correct studies need to be conducted. BM Grimaldi said that she liked the 197A plan that BM Hettiex had suggested and she would be willing to work on that with the Board.

Committee Chair Cruz pointed out that she found it interesting that all the photos that the Department of Transportation and the Department of City Planning presented to the Board do not show the amount of traffic volume, the number of pedestrians in the area, and bus routes along the commercial corridor. She thanked the Zoning and Land Use Committee for all their hard work and dedication.

Motion: CB 10 to oppose the NYC Department of City Planning proposed Citywide Open Restaurants Text Amendment and share Community Board Ten's following concerns with the NYC Department of City Planning:

1. Removal of Zoning Regulations:

The current proposal removes a codified set of regulations, enacted with good underlying reasons, and does not replace them with and clear zoning regulations regarding where outdoor dining may be permitted.

- Removal of clear path requirements will impact the retail landscape – especially when multiple cafes are located on one block. A post Covid world will experience more congestion: pedestrian and vehicular. Sidewalks and roadways are, in some areas, impassable.

- ADA requirements are outlined for sidewalk and roadway cafes, but no language addresses the restaurants' obligation to the disabled who are passing by and who may not be able to navigate through narrow, obstructed spaces.

Sidewalk clearance and permitted obstructions not clearly defined. Currently, electrical wires for lighting and heat run both – affixed to sidewalk and overhead.

The pedestrian traffic in Community Board 10 brings vitality to our commercial corridors. Pedestrian traffic will be negatively impacted by this proposal.

2. Removal of Community Review

The deletion of sidewalk café clear path and location requirements from the Zoning Resolution takes away public input/review as to seating placement for sidewalk cafes in residential districts.

Roadway/curbside café applications will not be subject to public review.

3. Giving-Up of Public Space for Private Use Favors restaurants over retail businesses, residential uses, and all other uses and concerns.

Disregards practical concerns of roadway and sidewalk use.

Provides restaurants use of public roadways paid for by the public. There is no transparency regarding fees for permits/applications.

There is no guarantee that fees will be established.

Removal of current zoning and replacement with virtually no zoning restrictions on sidewalk/roadway cafes may lead to unintended unpermitted vendors setting up outdoor stalls and pick-up/drive-through locations at roadway cafes.

3. Major Concerns and Lack of Input from Other City Agencies

· Removal of DOB from Structural Review will result in lack of participation by any engineering or architectural design professionals in the review of the construction of street structures which the City wants to be removable yet strong enough to withstand natural occurrences (wind, snow load, fire, weather deterioration, etc.) and highly likely vehicular impact hazards – all point to significant risk and likely disaster.

4. Clear Path Requirements are Not Clear

· Again, the committee had strong concerns that sidewalks would not be passable. Electrical wires for lighting, heating and entertainment would be obstructions for wheelchair and walker users and for families with strollers and toddlers.

5. Quality of Life and Environmental Concerns for Non-Restaurant Public

The impact of this and future proposals to the residential quality of life cannot be understated or underestimated. Opposition to this zoning text amendment was based on so many objections and for so many reasons including longstanding street and roadway safety guidelines concepts.

· Noise Complaints – Noise complaints from eating and drinking establishments have increased more than 500% since May 2020. Community Board 10 is a residential district with commercial overlays. When CB10 reviews licensed establishments for SLA permits, they consider the impact of the establishment on the surrounding residential area. Currently there are restaurants advertising outdoor DJs on Friday and Saturday nights. There must be protections for residents.

· Lasting impact on traffic flow (public transit, personal vehicles, bicycles, E-bikes & scooters), traffic safety, and pedestrian safety especially in light of the Vision Zero Program

· Communities throughout the city will forever be negatively impacted by these changes

35 in favor; 2 opposed – BM Leonardos, BM Stewart. Motion carried.

Vice Chair Capetanakis thanked the Board and Committees for all their efforts.

OLD BUSINESS

BM Thum asked if there was an update on Baci Ristorante, 8420-8424 Third Avenue receiving their liquor license renewal after the Board decided to deny their renewal application. DM Beckmann responded that they were without a liquor license for a few weeks but obtained their liquor license thereafter. They were quiet for a while then they became noisy again. The 68th Precinct had gone to speak with the owner and currently they are quiet. The 68th Precinct is monitoring this establishment as well as Community Board Ten documenting community feedback. BM Vellucci mentioned that the traffic at this establishment is horrendous from the double-parked vehicles blocking the crosswalk as well as other locations all day long. She noted that she will speak with the 68th Precinct Community Affairs Officer if needed to ask for enforcement.

BM Thum agreed that this is also going on along 86th Street. BM Vellucci stated that Council Member Justin Brannan's office had mentioned there would be enforcement regarding motorized scooters and bicycles because of how irresponsible people are driving. DM Beckmann noted that there is a 68th Precinct Council meeting tomorrow evening and she will provide BM Vellucci with the link to attend to voice her concerns.

BM Cruz stated that Positano on 101st Street and 4th Avenue currently has outdoor dining in addition to valet parking at 4th Avenue southbound causing traffic in an area where there had been a serious accident with a fatality and there is no repercussion to the establishment owner. BM Thum agreed with BM Cruz. BM Bova inquired if there is a way that the establishments can utilize the parking garages within Bay Ridge, Brooklyn. BM Harrison noted that Century 21 Department Store had signed an agreement where they would allow valet attendants to bring vehicles there for parking. He pointed out that the valet attendants would still park near the establishment as he thought the valet attendants preferred parking to be closer to the establishment. BM Harrison suggested that perhaps the City Council or law would have the valets park in the parking garages within Bay Ridge. BM Bova suggested possibly having these establishment choose whether they want outdoor dining or valet parking but couldn't have both.

BM Cruz stated that everyone should reach out to their Elected Officials and inform them on both the Zoning Resolution and the transportation resolution and how the Board voted. She said to ask them to support their communities.

BM Chin noted that sometimes homeowners are unable to park in their own driveway because vehicles are blocking residential driveways from valet attendants parking customers' vehicles.

NEW BUSINESS

None

ADJOURN

With no further business, motion to adjourn by BM Grimaldi, second by BM Hetteix. The meeting was adjourned at 9:19 pm.

**Brooklyn Community Board Ten
Chair's Report
September 20, 2021 General Board Meeting**

Board Members, Community Board Ten Chair Lori Willis was not able to make it this evening, so I want to leave you all for a moment to just take a moment to take a breath and really reflect on this past year. We're so happy to have you all join us and we hope that our whole city is on the road to recovery.

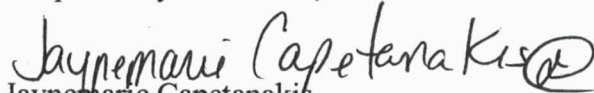
During it all we've kept going and we've kept up the business of public service to our community. We appreciate the service of our extraordinary Community Board Ten team our District Manager Josephine Beckmann, our Community Coordinator Dorothy Garuccio, our Community Assistant Jennifer Gounis and our Chair Lori Willis.

We appreciate the participation of all our Board Members many of whom have learned new skill sets as they've moved into this virtual world. One of the greatest gifts has been an increase in the community participation in our virtual Community Board Ten meetings just like we heard from the residents here tonight.

Virtual meetings will be continuing for the next few months and then we're going to pause again, take a breath, check what is this health and safety guidelines, and we'll adjust as needed. We know that here at Community Board Ten one thing is certain the business of our community and putting our community members first will certainly continue.

We thank you all as we continue to work together to make this the best place to live. Thank you!

Respectfully submitted,



Jaynemie Capetanakis

Vice Chair

DISTRICT MANAGER REPORT SEPTEMBER 20, 2021

Dear Board Members,

I hope everyone enjoyed the summer hiatus and welcome back as we're very excited to kick off our fall season. The District Office was very busy over the summer months preparing for our upcoming session. I just want to give a few highlights. This past Saturday I was honored to represent the Community Board at the street renaming for Honorable Justice Arthur Martin Schack on Ridge Boulevard and 89th Street. Thank you to all Board Members who attended. Honorable Justice Arthur Martin Schack served as Chairperson of our Community Board from July of 1986 to June of 1989, and he served as a Community Board Member for from 1983 to 1998. So, 15 years of volunteer service and you know what a great contribution that is and we are grateful for him.

The New York City Cleanup Corps. which Michael Sheldon mentioned earlier was in Community Board Ten last week. They tackled many of our graffiti and problematic sanitation areas. I am also glad that we had outreach and were able to submit our list of recurring graffiti and illegal dumping locations throughout the district. I received a report shortly before we began today's meeting with some before and after pictures which were just great, and I cannot wait for them to come back real soon.

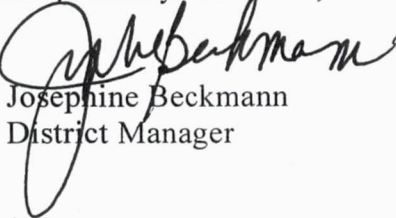
Milling and resurfacing took place over the last few weeks and all are finally completed this week, so we are happy about that. Next month, as I mentioned when Mr. Brad Hennessy was speaking during the public session is when we begin budget consultations, and each year Community Boards meet as a borough with several agencies of the City of New York to discuss budgetary needs. Individual Community Boards hold district budget consultations at the District Cabinet meeting during the month of June to begin to prepare our expense and capital priorities for the upcoming fiscal year. For Board Members who are new to Community Board Ten during the month of October Community Boards hold a public hearing and prioritize our district capital and expense needs which will be distributed to you prior to our meeting next month. Please make sure you look for that email from the District Office.

Some quick announcements:

- Ragamuffin Parade will not take place this year, but the Third Avenue Festival will take place on Sunday, October 3rd along Third Avenue from Bay Ridge Avenue to 94th Street.
- The Department of Sanitation Safe Disposal event will take place this Sunday, September 26th from 10:00 am to 4:00 pm rain or shine. The Brooklyn location is at Floyd Bennett Field which is on Flatbush Avenue and Marine Parkway and we will have that posted on our website as you must register if you're planning to attend. So, if you would like to get rid of some of your hazardous waste and old cleaning supplies please make sure that you register in advance.

As Vice Chair Jaynemie Capetanakis had mentioned the next General Board Meeting will take place next month on October 18th via Zoom Platform. Thank you!

Respectfully submitted,



Josephine Beckmann
District Manager

COMMUNITY BOARD TEN
TREASURER'S REPORT

Fiscal Year: July 1, 2021 to June 30, 2022

Budget Appropriation for FY 2022											\$261,219.00		
	7/31/21	8/31/21	9/30/21	10/31/21	11/30/21	12/31/21	1/31/22	2/28/22	3/31/22	4/30/22	5/31/22	6/30/22	Y - T - D
DISTRICT MANAGER		\$9,878.86											
COMMUNITY COORDINATOR		\$6,091.03	\$6,082.28										
COMMUNITY ASSOCIATE		\$1,944.65	\$2,047.00										
COLLEGE AIDE													
Total Personal Services		\$17,914.54	\$18,008.14										\$35,922.68
Expenses Code	Description												Y - T - D
10B	Telephone	79.99	79.99										
10X	Intra-City Supplies												
40B	Intra-City Telephone												
100	Supplies & Materials												
101	Printing Supplies												
117	Postage												
170	Cleaning Supplies												
199	Data Processing Supplies												
302	Telecomm. Equipment												
314	Office furniture												
315	Office Equipment												
319	Security Equipment	120.00											
352	Data Process Equipment												
357	Books												
402	Tel./Communications												
412	Rental/Misc./Equip	91.50											
417	Advertising												
431	Leasing Misc. Equip												
451	Local travel expenditures												
602	Telecomm. Maintenance	43.21	44.38										
613	Office Equip. Maint.												
615	Data Process Equipment												
615	Printing Supplies												
622	Temporary Services-contractual												
624	Cleaning Services												
686	Professional/Computer Services												
684	Professional/Computer Services	588.00											
110	Food & Forage Supplies												
Total Other than Personal Services		\$922.70	\$124.37										\$1,047.07
TOTAL PS AND OTFS EXPENSES		18,837.24	18,132.51										36,969.75
TOTAL UNCOMBURED BUDGET BALANCE													\$224,249.25

Respectfully submitted,
Shirley Chin
Shirley Chin, Treasurer

COMMUNITY BOARD #10 POLICE & PUBLIC SAFETY MEETING

Date/Time: September 20, 2021 – 7:00 P.M.

Place: District Office, 8119 – 5th Ave., Brooklyn, New York 11209

Meeting Via ZOOM on September 13, 2021 7:00 P.M.

Quorum: Yes

- **New Application for Wine, Beer & Cider for Aloni Restaurant D/B/A Mr. Chips**
- Premise: 7506 – 3rd Avenue, Brooklyn, New York 11209

This is a new application for a restaurant named Mr. Chips located at 7506 – 3rd Ave. The owner Vasileios Pavlos was not able to join the meeting because of technical difficulties. Mr. Halkias, the attorney was present. There is a letter of No Objection. The questionnaire was complete, the menu, premise photos and a hand-drawn floor plan was provided. There will only be background recorded music and no outdoor use. There will be no more than 50 people in the premise at one time. The application states that the hours of operation on Fridays & Saturdays will be 24 hours. This is not allowed by the SLA and needs to be changed as the sale of alcohol is to cease at 4AM.

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.
3. The hours of operation will be Sunday-Wednesday 6AM – 11PM, Thursday 6AM – 2AM, and Friday and Saturday 6AM – 4AM for alcohol sales and 24 hours for food service. 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 there will be no use of outdoor space.
6. The licensee shall not use any promoter or have promoted events.
7. There will be no smoking permitted.
8. 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 – all in favor.

Board Approved.

- **New Application for Restaurant Wine for Vivala Pizza Inc.**
- Premise: 6305 Fort Hamilton Parkway, Brooklyn, New York 11219

This is a new application for a restaurant named Vivala Pizza . The owner Augustus Whitt was present at this meeting. Also present with the owner was Shycior Hung (Sandra) Fong, the attorney. There is a letter of No Objection. The questionnaire was complete, the menu, premise photos and floor plan was provided. There will only be background recorded and no outdoor use. There will be no more than 10 people in the premise at one time as there are only 3 barstool type seats.

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.
3. The hours of operation will be Sunday – Saturday 11AM – 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 be monitored and remain below the level permitted by the NYC Noise Code.
5. There will be no music on the outside of the premises, and there will be no use of outdoor space.
6. The licensee shall not use any promoter or have promoted events.
7. There will be no smoking permitted.
8. 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 – all in favor.

Board Approved.

**Catch 22 – 7221 3 Avenue - Update on review of SLA License
Renewal application at Catch 22, 7221 3rd Avenue in response to community complaints.**

Catch 22 has been a licensed premise since 2013 and they have a stipulation agreement which includes:

- Security personnel to walk perimeter of outside in an effort to move patrons from residential block.
- The windows must be closed by 10:30pm and the establishment must keep noise levels within NYC noise code.

CB10 invited the owner to attend and reached out to nearby neighbors.


There were 50 – 311 calls logged into for noise from January 2019 to present.. of which 12 service complaints were between the hours of 1am and 5am.

There were 3 neighbors who joined the call and discussed quality of life issues they were experiencing with reps from the 68 Precinct. The owner did not attend.

Neighbors in attendance asked the 68 Precinct Community Affairs to speak to the owner to close the doors and windows when music is loud and do a better job controlling crowds outdoors.

They were satisfied that they had an opportunity to speak and a commitment from NYPD that they would address. We assured neighbors we would keep in contact and assist further should conditions not improve.

Respectfully submitted,


Barbara Vellucci

Chairperson

Traffic and Transportation Committee

September 20, 2021

I would first like to acknowledge the work and dedication to the previous Committee Chair, Jaynemie Capetenakis, she is a rock-solid example of true selflessness and volunteerism, and I hope that I can provide even 1% of the expertise and commitment to the T and T as you have over the years. Enjoy your committee chair retirement. Thank you to Josephine, Lori and Doris and everyone at CB10, and the committee for helping jump into this very important and active committee. I look forward to working with all of you. And so with that I present my report, again with help and guidance from Josephine Beckmann.

Background

CB10 held a meeting in November of 2020 about the preliminary idea a for seventh and eighth Avenue conversion. At the time of this meeting, DOT did not have a completed plan. The Traffic and Transportation Committee expressed concern that such a large one-way conversion project warranted a combined meeting with three Community Boards impacted by the project and individual hearings to focus on each portion. DOT in May explained they were proceeding with a Community Advisory Board, as they wanted to commence this project in the summer. Ten residents opposed the limited Community Advisory Board process in court via an Article 78 and argued for the presentation of the plan to the Community Boards according to the Administrative Code. They were successful and CB10 called its meeting for September 9th, 2021. Community Board 12 will be meeting September 30th and CB7 October 5th - as the deadline for comments is October 9th.

We also worked with DOT 2015 - 2017 to improve conditions at 65th Street corridor and specifically pedestrian safety at 65th Street at 7th Avenue.

Summary of DOT Proposal

Location 7th Avenue - 66th Street to 39th Street

8th Avenue - 66th Street to 39th Street

67th Street proposal for back in angle parking in residential area

The project area encompasses THREE Community Boards 7, 10 and 12.

CB10 portion is approximately 10 blocks from 62nd Street to 67th Street - along both 7th and 8th Avenues.

8th Avenue is the commercial heart of Chinatown and there are many conditions noted including double parking, many trucks reducing roadway to one lane, high pedestrian volumes, narrow sidewalks and street vendors that create crowded sidewalks and pedestrian spillover into street. DOT noted large volumes of cyclist activity.

- DOT presented crash analysis breakdown due to congestion and non-compliance resulting in pedestrian injuries. They reviewed statistics from 2014 through 2018 a five-year period.
- 2019 pedestrian count is 5070 per hour and cyclists were 600 to 800 per day.

- This is a shopping destination served by B70 and charter bus stops.
- DOT stated they collaborated in February 2020 with several Community Based organizations including Brooklyn Chinese American Association, Chinese American Planning Council, and the Sunset Park Recreation Center. 391 surveys were completed. Street ambassadors also visited 340 businesses in November 2019.
- Both streets are 44 feet wide.

PROPOSAL

- Convert 7th Avenue to southbound between 39th Street and 65th Street
- Convert 8th Avenue to northbound between 39th Street and 65th Street
- Add additional pedestrian space
- Add contraflow bike lane on 66th Street between 7th and 8th Avenue
- Expand sidewalk on west curb of 8th Avenue from 51st to 60th Street
- Add commercial loading zones
- Reroute B70 Bus - consolidating bus stops. Plan is to reroute the MTA B70 line by extending distance between stops and eliminating charter bus stops.
- add one-way protected bike lanes
- add eastbound to northbound left turn bay on 65th Street at 8th Avenue to accommodate higher turn volumes
- 66th Street - add a protected, contraflow bike lane 7th to 8th Avenue with 5 foot buffer
- 67th Street add back in angle parking on the north side

Approximately 200 residents attended the in-person meeting. Two meeting areas were provided, adhering to all COVID protocols. An indoor meeting room and an outdoor overflow area both filled to capacity. An additional 200 viewed the meeting via our livestream. Over the summer the district office received notice from Paul Mak that the community submitted over 10,000 signatures to the Department of Transportation - opposing the plan as currently presented. Brooklyn Chinese American Association, United Chinese Association, Chinese American Planning Council leaders who participated in survey in February of 2020 stated that DOT left and did not come back to discuss ways to improve safety or consult with the plan. The questions DOT asked were general... such as "would you like to see safer streets?" Several speakers discussed frustration that so much had changed since the initial outreach...the pandemic, rise in Chinese hate, businesses struggling due to post COVID economy and disagree with many aspects of this plan. Many shared with our office that they felt DOT did not understand the culture of the commercial corridor.

The members of the public who spoke expressed sincere frustration about the process and lack of civic engagement. They also contend it will make the corridors less safe. Leadership and members of the

organizations that were surveyed for this project all spoke in opposition. The palpable emotion in the room was compelling as we listened to all speakers.

The motion of the Traffic and Transportation Committee is to disapprove the 7th and 8th Avenue One Way Conversion Proposal as presented based on the following feedback and concerns expressed by the members of the public and committee:

1. 65th Street at 7th Avenue - Dead Head at one of the highest crash corridors in the district that this Board worked closely with DOT to improve. 7th Avenue southbound traffic will converge with northbound 7th Avenue traffic at 65th Street - which many fear is dangerous for all users of the roadway. CB10 previously voted to eliminate 7am to 10am morning commute regulation on 65th Street and increased turning movement will be significant.
2. Insufficient Outreach - Civic Engagement. Many community-based organizations who were part of the survey were deeply upset that DOT did not return to continue the civic engagement process or discuss the proposal.
3. No statistical data provided on number of commercial deliveries, bicycles traveling north vs. southbound. A one-way protected bike lane on 8th Avenue is insufficient as commercial bicycle use is heavy in both directions.
4. DOT limited study area to 7th and 8th Avenue and did not include impacts to 6th Avenue, 9th Avenue, Fort Hamilton Parkway and 65th Street corridor.
5. Rerouting of buses, elimination of commuter van stops and consolidation of bus stops impacts to seniors who will need to walk additional blocks. There will also be future impact to intermodal connection at 8th Avenue N train stop, which will be ADA accessible this contract period.
6. This northern section of CB10 and the entire project area falls within an Environmental Justice area. There are many who believe an environmental impact study is required. This was not completed.
7. While not a statutory requirement, the callous disregard to requests to return following the input of the community was upsetting. We request DOT returns to the community to present changes and continue civic engagement before proceeding with implementation of any changes to 7th and 8th Avenue.
8. Administrative Code requires review by FDNY, NYPD and SBS - these certifications were not provided and we would like to request copies especially since there is a FDNY - EMS dispatch building within the project limits at 5011 7th Avenue.
9. 67th Street residents oppose back in angle parking
10. DSNY and private carter collection will be impacted
11. DOT proposal did not address the very sidewalk and street level conditions that create obstructions that force pedestrians into the street - including crowded sidewalk caused by unlicensed vending, truck congestion - new loading and unloading zones not sufficient for volume of trucks and significant double parking on every block.

12. 66th Street proposed design would create backups and bottlenecks at 7th Avenue as truck-loading zone created on 66th Street off 7th Avenue often has trucks on both sides of roadway.
13. Neighbors brought up concerns about heavy traffic volumes at exit 66th Street at 7th Avenue no longer being able to head north to Sunset Park...will now either have to turn right on 65th Street

Respectfully submitted, with thanks, by Anthony Marino on this the 20th Day of September, 2021.

A handwritten signature in black ink, enclosed in a circular scribble. The signature appears to be 'AM' or similar initials.

Zoning and Land Use Committee Report

September 20, 2021

Members of the Zoning and Land Use Committee met to review the Open Restaurant Zoning Text Amendment during 3 meetings this month. September 2nd was a formal presentation by Department of City Planning and DOT which was followed by two additional meetings held on September 14th and 16th.

DCP presenters stated they needed to get this zoning amendment “out of the way” to clear the path for a new DOT permanent “open restaurants” program. A representative from DOT was in attendance to be on hand to answer questions to explain the current concepts for the basic parameters of that program.

Currently, there are many sections within the Zoning Resolution that address and define where sidewalk cafes both enclosed and unenclosed can operate, and the process is overseen by the Department of Consumer Affairs. This proposal by the Department of City Planning seeks to remove those sections and reassign jurisdiction to the Department of Transportation. Most sidewalk cafes currently fall within what is known as “commercial overlays” found within residential districts.

Commercial overlays are mapped within residence districts to serve and protect the community. Typical retail uses include neighborhood grocery stores, restaurants and beauty parlors. Most buildings in our district within the commercial overlay typically have a commercial use limited to one or two floors and must always be located below the residential use. Creating a balance between the quality of life of residents and the prospering of the commercial establishments which provide their much-needed services is and should remain the goal. This is why the current zoning text includes requirements for sidewalk clearance, distances between cafes, prohibited music and amplified sound, and other protections.

The proposed action:

- Removes the definitions of enclosed, unenclosed and small sidewalk cafés thus eliminating limitations on size and design
- Eliminates the regulations on where certain sidewalk cafes are not permitted, including locational criteria (including under elevated subway lines and in such areas as within Community Board 10 along 86th Street from 3rd Avenue to Gowanus Expressway); the clear path requirement around the corners (currently at 8 feet); and the 40 feet minimum distance between sidewalk cafes; physical criteria for enclosed sidewalk cafes
- Removes structural requirements for enclosed cafes; and prohibition of music and noise amplification.
- Adds Outdoor Table Service Areas in roadways and against restaurant facades within most zoning use districts meeting all requirements set forth by the Department of Transportation (which requirement will be set forth in the new as-of-yet undetermined “open restaurants” plan).

- Prohibits enclosed cafes which will no longer be permitted, existing will be grandfathered.
- Does NOT include Community Board review for dining areas under the anticipated “open restaurants” plan
- Department of City Planning stated that “no geography is off limits”.

During our discussion, ZALUC members shared that they fully supported the emergency order to allow outdoor dining during the pandemic because the industry was hit hard. Additionally, members expressed support for the extension of the temporary program to continue through 2022 despite many issues that have arisen and continue with limited and uneven enforcement.

However, it was the overwhelming opinion of the committee that the rush to adopt sweeping changes to the Zoning Resolution to certify this application over the summer without proper public review and prior to having a new permanent program in place is unacceptable.

The changes to the Zoning Resolution are significant and the effects are of great concern to members of the committee. These changes will have a broad impact on our community.

DOT’s premise in seeking these changes is: “let’s take what works and make it permanent”. The committee took exception to that premise as what many in our community are experiencing on our streets and in the public right of way is NOT working for all. While it may be working for restaurants and providing some lessons on how we may enliven our streetscape, but to completely dispose of current zoning regulations in order to usher in a wide-sweeping “open restaurants” plan – absent a publicly reviewed replacement plan – the committee viewed as a reckless move and an abuse of power.

Therefore, ZALUC, having met in quorum, voted to oppose the Open Restaurant Text Amendment, and to share our following concerns with the Department of City Planning:

1. Removal of Zoning Regulations:

The current proposal removes a codified set of regulations, enacted with good underlying reasons, and does not replace them with any clear zoning regulations regarding where outdoor dining may be permitted.

- Removal of clear path requirements will impact the retail landscape – especially when multiple cafes are located on one block. A post-Covid world will experience more congestion: pedestrian and vehicular. Sidewalks and roadways are, in some areas, impassable.
- ADA requirements are outlined for sidewalk and roadway cafes, but no language addresses the restaurants’ obligation to the disabled who are passing by and who may not be able to navigate through narrow, obstructed spaces.

Sidewalk clearance and permitted obstructions not clearly defined. Currently, electrical wires for lighting and heat run both - affixed to sidewalk and overhead.

The pedestrian traffic in Community Board 10 brings vitality to our commercial corridors. Pedestrian traffic will be negatively impacted by this proposal.

2. Removal of Community Review

The deletion of sidewalk café clear path and location requirements from the Zoning Resolution takes away public input/review as to seating placement for sidewalk cafes in residential districts.

Roadway/curbside café applications will not be subject to public review.

3. Giving-Up of Public Space for Private Use Favors restaurants over retail businesses, residential uses, and all other uses and concerns.

Disregards practical concerns of roadway and sidewalk use.

Provides restaurants use of public roadways paid for by the public. There is no transparency regarding fees for permits/applications.

There is no guarantee that fees will be established.

Removal of current zoning and replacement with virtually no zoning restrictions on sidewalk/roadway cafes may lead to unintended unpermitted vendors setting up outdoor stalls and pick-up/drive-through locations at roadway cafes.

3. Major Concerns and Lack of Input from Other City Agencies

· Removal of DOB from Structural Review will result in lack of participation by any engineering or architectural design professionals in the review of the construction of street structures which the City wants to be removable yet strong enough to withstand natural occurrences (wind, snow load, fire, weather deterioration, etc.) and highly likely vehicular impact hazards - all point to significant risk and likely disaster.

4. Clear Path Requirements are Not Clear

· Again, the committee had strong concerns that sidewalks would not be passable. Electrical wires for lighting, heating and entertainment would be obstructions for wheelchair and walker users and for families with strollers and toddlers.

5. Quality of Life and Environmental Concerns for Non-Restaurant Public

The impact of this and future proposals to the residential quality of life cannot be understated or underestimated. Opposition to this zoning text amendment was based on so many objections and for so many reasons including longstanding street and roadway safety guidelines concepts.

· Noise Complaints - Noise complaints from eating and drinking establishments have increased more than 500% since May 2020. Community Board 10 is a residential district with commercial overlays. When CB10 reviews licensed establishments for SLA permits, they consider the impact

of the establishment on the surrounding residential area. Currently there are restaurants advertising outdoor DJs on Friday and Saturday nights. There must be protections for residents.

- Lasting impact on traffic flow (public transit, personal vehicles, bicycles, E-bikes & scooters), traffic safety, and pedestrian safety especially in light of the Vision Zero Program

- Communities throughout the city will forever be negatively impacted by these changes

Respectfully submitted,


Doris Cruz

ZALUC Chair

STATE LIQUOR AUTHORITY – NEW APPLICATIONS & RENEWALS

<u>Name/Address</u>	<u>Received at CB 10</u>	<u>Status</u>
Affable Eatery Inc. 912 65 th Street	7/19/2021	*New Application Liquor, Wine, Beer & Cider (withdrawn application)
Brooklyn Little Bites Corp. d/b/a Mandato Mexican Restaurant 7218 3 rd Avenue	8/3/2021 via email 8/5/2021 via certified mail	Renewal Wine, Beer & Cider
Toscana al Terzo LLC d/b/a Tuscany Grill 8620 3 rd Avenue	8/9/2021 Fed Ex	Renewal Liquor, Wine, Beer & Cider
Shahajalal Foods Corp. d/b/a Taj Mahal Indian Restaurant 7315 3 rd Avenue	8/9/2021 via certified mail	Renewal Wine, Beer & Cider
7221 Some Place Else LTD d/b/a Catch 22 7221 3 rd Avenue	8/23/2021 in-person	**Renewal Liquor, Wine, Beer & Cider
The Burger Bistro, Inc. 7217 3 rd Avenue (left hand store)	9/1/2021 overnight mail	Renewal Wine, Beer & Cider
Natures Grill LLC 7417 3 rd Avenue	9/7/2021 via email 9/9/2021 in person	Renewal Wine, Beer & Cider
PRX Inc. d/b/a Johnny Pumps Café 7518 5 th Avenue	9/9/2021 in person	Renewal Liquor, Wine, Beer & Cider
Chill Corp. d/b/a Chill Bar & Hookah Lounge 7810 5 th Avenue	9/9/2021 via email 9/13/2021 certified mail	*Renewal Liquor, Wine, Beer & Cider
Fravima Corp. d/b/a Buona Sera Restaurant & Pizza 6522 11 th Avenue	9/10/2021 certified mail	New Application Wine, Beer & Cider
Bay Ridge Pizza 7704 5 th Avenue	9/10/2021	Renewal Wine, Beer & Cider
Comeau Group Inc. d/b/a Ho-Brah 8618 3 rd Avenue	9/10/2021 overnight mail	Renewal Liquor, Wine, Beer & Cider

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

** Appeared before the Police & Public Safety Committee on September 13, 2021.

STATE LIQUOR AUTHORITY – NEW APPLICATIONS & RENEWALS

<u>Name/Address</u>	<u>Received at CB 10</u>	<u>Status</u>
Red Bowl Chinese Restaurant Inc. d/b/a Red Bowl 8518-8520 3 rd Avenue	9/13/2021 email 9/15/2021 certified mail	*New Application Liquor, Wine, Beer & Cider
Bay Ridge Manor, Inc. 476 76 th Street	9/15/2021 in person	Renewal Liquor, Wine, Beer & Cider
Noodles 86 Corp. 8608 4 th Avenue	9/29/2021 in person	Renewal Wine, Beer & Cider
Jimmy's Place LTD 7118 13 th Avenue	9/29/2021	Renewal Wine, Beer & Cider
Bay Ridge Japanese Cuisine Inc. d/b/a Bay Ridge Sushi 6914 3 rd Avenue	10/6/2021	Renewal Wine, Beer & Cider
Captiva Enterprises Inc. d/b/a Cappuccino Café 7721 3 rd Avenue	10/8/2021	Renewal Liquor, Wine, Beer & Cider
Saje Business Corp. d/b/a Matter 7604 3 rd Avenue	10/12/2021 certified mail	Renewal Liquor, Wine, Beer & Cider
Purple Rose Inc. 7217 8 th Avenue	10/12/2021 certified mail	Renewal Liquor, Wine, Beer & Cider

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