

Community Board 10 General Board Meeting Attendance
December 20, 2021, 7:00 pm via Zoom

Board Members Present: 37

Jonathan Bova
Tracie Britton
Jaynemie Capetanakis
Shirley Chin
Judith Collins
Doris Cruz
Chris Elisson
Ann Falutico
Carmen Feliciano
Preston Ferraiuolo
Michael Festa
Senja Frangipani
Barbara Germack
Dianne Gounardes
Judith Grimaldi
Steve Harrison
Daniel Hetteix
Jill Infantolino-Hajjar
Habib Joudeh
Stella Kokolis
Wai Ging Leo
Nikolaos Leonardos
Stephanie Simone Mahaney
Essa Massoud
Nicholas Massab
Ruth Greenfield Masyr
Robert Oliva
Dean Rasinya
Husam Rimawi
Joseph Sokoloski
Lawrence Stelter
Henry Stewart
Jana Taoube
Julie Thum
Sandy Vallas
Barbara Vellucci
Lori Willis

Board Members Excused: 4

Richard Day
June Johnson
Anthony Marino
Iris Mule

Board Members Absent: 3

John Heffernan
Justin Hyatt
Michael Xie

**2nd AMENDED AGENDA
COMMUNITY BOARD 10 GENERAL MEETING
December 20, 2021; 7:00 pm
Via Zoom**

YouTube Livestream: <https://www.youtube.com/channel/UCPueX4MsL5dhnFZ-wqDwvKw>
Zoom Registration link: https://us02web.zoom.us/webinar/register/WN_uy_ISYQaQ2u9qceTuLKZ5Q

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

ADOPTION OF MINUTES

November 15, 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

**SLA alteration application for license #1277353,
Parkville Corp., d/b/a Park Asia, 811 66th Street**

**Committee Report and Recommendation
Discussion and Vote**

**New SLA liquor/wine/beer/cider application at
Fravima Corp., d/b/a Buona Sera Restaurant &
Pizza, 6522 11th Avenue**

**Committee Report and Recommendation
Discussion and Vote**

**New SLA wine/beer/cider application at Gohan Sushi
Inc., 533 86th Street**

**Committee Report and Recommendation
Discussion and Vote**

**New SLA liquor/wine/beer/cider application at
Downtown Yummy Restaurant Inc., d/b/a BK Seafood
Market, 842 64th Street**

**Committee Report and Recommendation
Discussion and Vote**

**New SLA liquor/wine/beer/cider application at Sexy
By Nature Group Inc., 8121 5th Avenue**

Informational Report

JOINT ZONING AND LAND USE and TRAFFIC AND TRANSPORTATION COMMITTEES

**Update regarding DOT's creation of a Permanent
Open Restaurants Program including design,
public engagement, and the rule formation process
as well as DCP's final approval of the Open
Restaurant text amendment**

**Committee Report and Recommendation
Discussion and Vote**

OLD BUSINESS

NEW BUSINESS

ADJOURN

COMMUNITY BOARD TEN GENERAL BOARD MEETING MINUTES

DECEMBER 20, 2021 – LIVESTREAM LINK BELOW

<https://www.youtube.com/watch?v=tpqwG8vS-H8>

Chair Willis called the meeting to order at 7:05 pm followed by the Pledge of Allegiance.

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

Chair Willis asked for a motion from the floor to adopt the Minutes from the November 15, 2021 General Board Meeting. Motion by BM Chin, second by BM Bova. All in favor. Motion carried.

PUBLIC SESSION

Council Member Justin Brannan stated that the number one focus currently is getting more testing sites within our community, adding that NYC had been working more on getting people vaccinated over recent months, and testing had fallen back a bit. Now with the new variant, testing has again become a high priority. He has also been working with both the current and incoming administrations as far as the transition to ensure continuity in service delivery. He is honored to have been re-elected and he and his staff continue to be available to assist the public. He thanked the Board Members for their volunteerism and commitment and wished all a Merry Christmas and Happy New Year.

Tori Kelly representing Senator Andrew Gounardes also spoke about efforts to provide more COVID testing locations and efforts to secure home testing kits which are also in high demand. The Senator is looking forward to the upcoming legislative session and will keep the Board updated. On behalf of Senator Gounardes and staff, Ms. Kelly wished all a happy holiday season.

Donald De Rosa, representing Comptroller Scott Stinger wished all a happy holiday season and a safer, happier 2022.

Hanane Dbajat, representing Assembly Member Michael Tannousis, wished all a Merry Christmas, Happy New Year and happy holidays. They are currently assisting with an influx of unemployment cases with the Dept. of Labor and the Assembly Member is focused on school safety issues in light of recent events in the Staten Island high schools. Their office is open and available to assist the public. The Brooklyn District Office is open part time, however, the Staten Island Office can be contacted Monday through Friday, 9 – 5.

Nancy Lulu, representing Brooklyn District Attorney Eric Gonzalez sent best wishes and seasons greetings to all. The DA's office participated with various toy giveaways over the weekend and thanked all who supported their holiday toy drive which made the children who received toys very happy. She provided the Action Center phone number 718-250-2340 for anyone who would like to contact them. She thanked Community Board 10 for their community work. On behalf of DA Gonzalez, she wished all a safe and healthy new year.

Jessica Kallo on behalf of Borough President Eric Adams delivered the following remarks:

Borough President Adams sends his deepest gratitude to every Brooklynite. He has been honored to serve as your Borough President for the last eight years. Brooklyn Borough President/Mayor Elect Adams' investments since taking office at Borough Hall has been over \$440 million in capital funding, the highest of which has been over \$200 million allocated to education, which we know is very important to the constituents of South Brooklyn. With that he gives a great thank you for your support and for letting him work with you for the last eight years. He wishes all a happy and safe holiday season and a happy and healthy new year.

Charmaine Mangaroo, Chief of Staff representing Assembly Member Mathylde Frontus announced that the office staff is working remotely due to the spike in cases, but is available via phone, social media, email, etc. The report from the Southern Brooklyn Roundtable hosted on October 26th was distributed today. The roundtable was an opportunity for southern Brooklyn residents to meet with an expert regarding pedestrian safety challenges related to all types of vehicles, scooters, etc., driver behavior, and to discuss some alternatives that could make the streets safer. Hopefully in the new year some of the alternatives can be implemented through legislation. The Assembly Member is happy to continue to serve her constituents and wishes all happy holidays and a happy new year.

BM Cruz responded that she had attended the Roundtable and has not received the report. Ms. Mangaroo said she would make sure CB10 receives the report via email.

Laurie Windsor, representing Congress Member Nicole Malliotakis, announced that their office is open Monday through Friday, 9-5, at 7716 3rd Avenue, phone number 718-306-1620 if anyone needs to reach them. On behalf of the Congresswoman, she wished all a very happy holiday and a happy healthy new year.

CHAIR'S REPORT – See Attached

DISTRICT MANAGER'S REPORT – See Attached

TREASURER'S REPORT – See Attached

COMMITTEE REPORTS

JOINT ZONING AND LAND USE & TRAFFIC AND TRANSPORTATION COMMITTEES

The joint Zoning and Land Use Committee/Traffic and Transportation Committee meeting report was rendered by ZALUC Chair Doris Cruz. See Attached.

Discussion followed.

BM Stelter stated that cyclists and e-scooter operators drive recklessly and do not follow any rules. He questioned which agency will be responsible for enforcement.

BM Falutico feels that the program is so misguided and has already moved to the point of working out the details. She is aghast at the program and verbalized that having a seat at the table – she feels the seat will be a folding chair. She wonders who the small contingent is who is in favor of this program.

BM Grimaldi noted that the Open Restaurants concept was designed as an emergency solution to the economic impact of the pandemic and should not be a permanent solution. The program is not suitable for our neighborhood. We had clear rules for outdoor cafes prior to the pandemic which were concise and contained, but the new version is just like the wild west, with anybody doing it any way without rules.

BM Harrison agreed and stated that the program is ill-conceived, and is a solution to nothing, since the problem did not exist prior to COVID. He feels this is an opportunity that someone found within COVID which is reprehensible. The problem is a temporary one, and he supports the temporary program, but to support this in perpetuity makes no sense. The city is giving away property that is worth billions.

Hanane Dbajat mentioned the DOT public roundtable meetings on the topic scheduled for January 11 and 12 and asked about where to find the meeting links. DM Beckmann responded that the links will be posted on the DOT website.

BM Rasinya gave his personal view that the whole program of making the Open Restaurants permanent is strictly from Mayor DeBlasio who has pushed this from day one. He thinks that us having a seat at the table will do absolutely nothing to help. As far as BM Stelter's complaint about the e-scooters and bikes, no one enforces it today, and no one will enforce it tomorrow.

Chair Willis explained that a lot of what the Board Members are saying was brought up at the Borough Board meeting when the plan was presented to the Brooklyn CB Chairs. There was opposition from most if not all Chairs similar to ours. She reviewed the City Planning Commission's vote, and all the members wanted the rules first and wanted to know what the program was going to be. The response from DOT was that this is not a public hearing, they are formulating the details because the zoning resolution has already been voted on. They are holding the roundtables and comments can be submitted online. She and other Borough Board Members spoke out requesting a seat at the table. DM Beckmann agreed and expressed that there was a feeling of frustration at the Borough Board meeting. ZALUC Chair Cruz reminded Board Members that we have many different types of businesses in our community and only one type of business is being given some type of relief. She also pointed out that Board 10 has about 200 licensed establishments and will be greatly affected while other Boards may not because they do not have a high number of restaurants. She added that we are a residential

community with a commercial overlay and must consider the impact on residents and other local businesses. DM Beckmann added that Richard Bearak advised Community Boards to send photographic examples of problematic setups to DOT along with our comments.

Discussion continued and the issue was raised that these are structures which will have to be removable, people are sitting inside them, and how safe are they. ZALUC Chair Cruz asked why DOB would not be involved in reviewing the plans.

BM Infantolino-Hajjar expressed her feelings of being disheartened and upset and feeling that she as a Board Member is wasting her time, because Community Boards are advisory. There has been no enforcement of mask mandates, vaccine checks, etc. in restaurants.

BM Greenfield Maysr feels that perhaps the new Mayor may feel differently and perhaps we can be hopeful. She also pointed out that parking spaces are being taken away and the ratio of time the structures are in use to the amount of parking being taken up is very low. In response, ZALUC Chair Cruz added that we have held many meetings on this topic and never once was the issue of parking being taken away raised, rather, the quality of life of residents has been the focus of concern.

BM Ferraiuolo asked how NYPD is addressing double and triple parking alongside these sheds. As a driver or pedestrian, it is very difficult to see oncoming traffic when crossing the avenue on a side street. He added that many of these locations have not been cleaned in two years by DSNY and asked if there is any timeframe for these restaurants to remove the structures for the streets to be cleaned before rebuilding them. ZALUC Chair Cruz responded that there is no rule for removal of the structures for street cleaning, and that whether there is a traffic signal or not at an intersection, she agrees, the structures block the view making it very difficult for pedestrians to get across the street. This point has been raised but has not been addressed.

BM Masoud agrees with what has been discussed and asked if it would help to enlist CM Brannan and Senator Gounardes in giving a voice to the Community Board. ZALUC Chair Cruz said that she hopes so and BM Masoud asked if they are aware. ZALUC Chair Cruz called on CM Brannan who was still logged on to the meeting. CM Brannan said he heard the Board's concerns, and whenever he goes into one of these negotiations, he has the voice of what the Community Boards want in his mind. He does think there is the opportunity with a new Mayor because it's going to be a different approach and he thinks we can be hopeful in that sense. He continued to explain that he got his start on the Community Board and he understands the volunteer hours that are put into this work, which often feels very thankless. He never wants anyone to feel like it's in vain or that it's not worth doing, because he listens. He added that Chair Willis, DM Beckmann and himself work very closely together and when he goes to City Hall to represent 170,000 people, he thinks quite a lot about the folks on the Community Board. He doesn't want anyone to feel that the work here is in vain whether it's advisory or not, on all issues, not just on the outdoor dining structure issue.

BM Harrison asked the Council Member how he feels about the outdoor dining structures. CM Brannan responded that they were a lifeline back when you couldn't dine indoors, he thinks the fun will end once the city figures out a way to make money from these outdoor dining structures, he can't imagine that we continue to have these outdoor dining structures for free. He assumes once that becomes an issue, we will see some consolidation. He thinks with Mayor deBlasio and his DOT where some feel they have a quota, they are looking for a way to bulldoze through whatever it is they are doing, there's a feeling that this is a war on parking or a war on cars. This was really just a lifeline to keep small businesses afloat, it was not about taking away parking spots. He understands concerns about parking, but thus far it has been okay. He added that they have been working with DOT regarding outdoor dining structures that are not being used and have been sitting there like abandoned shipwrecks to have them removed and return parking.

BM Grimaldi stated that she has been inside restaurants that are fully utilized with every table taken and then every table in the outside structure is fully used, so they get a double whammy which is not fair, it is just not right.

BM Thum agrees with BM Infantolino Hajjar and also feels that while the Board Members try to come up with good recommendations, the agencies can override anything we do. As far as the outdoor structures, she has huge concerns for when it begins to snow. These structures will impede snow removal even more than the challenges that we had previously. She recently had a flat tire on 3rd Avenue, and it was almost impossible to find a place to pull over to the side of the road because of the structures. She brought up one restaurant near her home who is a major offender of double and

triple parking, parking perpendicular to the sidewalk and continues to break the law and said that police do not enforce anything which is extremely frustrating.

BM Hetteix is incredibly positive of the concept of outdoor dining as a resident and feels also that the city should do its fair share to make the program work well. He feels it is a good concept, but it will not work unless our infrastructure is updated. He also feels the rules and regulations should be under much more thorough review and the program should be rushed but must be designed to make our streets more pedestrianized and create a more public and urban environment.

BM Willis pointed out that during the meetings she has attended DOT has mentioned concerns about snow removal, sanitation, and street cleaning, although there are no solutions yet.

BM Gounardes questioned structures that look enclosed with no circulation that she has seen locally. Chair Willis responded that her understanding is that outdoor structures could not be fully enclosed. DM Beckmann stated that there are current rules for the temporary program which prohibit fully enclosed structures, but the fact is that there is no enforcement.

BM Stelter questioned if there were any complaints as far as snow last year. DM Beckmann responded that we had very little snow last year, and that there had been a few complaints. BM Stelter said these are temporary structures and the Buildings Dept. does not get involved, there are no foundations, they are in the roadbed of the street which makes it DOT jurisdiction. He pointed out that ironically, you must go to the Buildings Dept. to get a curb cut permit.

BM Feliciano asked if we will send meeting links to senior centers and BIDs so that other merchants can weigh in with problems the structures have caused that we are not aware of. DM Beckmann confirmed that links would be shared.

BM Leo noted that the majority of roadway structures are not set up for winter use and questioned why they are still out if they are unused. Chair Willis said there is not answer to that yet. BM Leo feels that they are unused for at least one third of the year and will become weathered and corroded by remaining out in the elements and will have to be rebuilt anyway.

BM Kokolis added that most of the structures, especially on 5th Avenue have been removed for the winter, so we should not be concerned, except for a few large restaurants.

Motion: The Committees' recommendation is to send a letter to Dept. of Transportation and Dept. of City Planning urging that Community Board 10 has a seat at the table during the design engagement process. We want to make it clear that the temporary open restaurant program that we supported was an emergency approach to a crisis and that moving forward with a permanent program, we need to work with DOT and DCP to create something that will work for our residential community. The DOT and DCP must acknowledge the impact that outdoor dining has had on our mostly residential community and moving forward we would support seasonal non-roof structures an expansion of sidewalk cafes and any feature that would safely and effectively and respectively livening the public street while addressing the quality of life and safety impacts.

BM Falutico made a friendly amendment to change "seat at the table" to "the Board has a voice in where and how many cafes are permitted in our district." She feels "seat at the table" is a bit vague.

The friendly amendment was accepted by BM Grimaldi.

Amended Motion: To send a letter to Dept. of Transportation and Dept. of City Planning urging that Community Board 10 has a voice during the design engagement process as to where and how many cafes are permitted within our district. We want to make it clear that the temporary open restaurant program that we supported was an emergency approach to a crisis and that moving forward with a permanent program, we need to work with DOT and DCP to create something that will work for our residential community. The DOT and DCP must acknowledge the impact that outdoor dining has had on our mostly residential community and moving forward we would support seasonal non-roof structures an expansion of sidewalk cafes and any feature that would safely and effectively and respectively livening the public street while addressing the quality of life and safety impacts.³¹ in favor; 3 opposed. Motion carried.

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 SLA alteration application for license #1277353 Parkville Corp., d/b/a Park Asia, 811 66th Street, Brooklyn, New York 11220, unless the owner agrees to the following stipulations:

1. **The premise will operate as a catering hall.**
2. **A Certificate of Occupancy be acquired.**
3. **There will be no sale or consumption of alcohol on the premises until appropriate authorization is issued by the SLA.**
4. **The hours of operation will be Sunday - Saturday 9AM – 11PM and the manager will be present at all times.**
5. **The doors and windows are to remain closed with any amplified music.**
6. **There will only be background recorded and/or a D.J. and the sound level will remain below the level permitted by the NYC Noise Code.**
7. **There will be no music amplified on the outside of the premises.**
8. **There will be no outdoor use.**
9. **The licensees shall not use any promoter or have promoted events.**
10. **There will be no smoking permitted.**
11. **There will be at least 20% visible view into the establishment at eye level.**
12. **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 Harrison asked for clarification regarding the wording in stipulation number five. Committee Chair Vellucci responded that the phrasing in coordination means that when music is playing the doors and windows are to remain closed. BM Harrison asked if the wording in coordination be removed and stipulation number five be made clearer. Committee Chair Vellucci noted that the phrasing of stipulation number five had been specified prior to her becoming the Committee Chair but she will change the phrasing moving forward.

BM Leo asked if the present establishment will be attached to the new building. Committee Chair Vellucci explained that there will be an easement walkway and the building is attached. DM Beckmann agreed and stated that she had been at this establishment before. BM Leo responded that she had also been at this establishment, but she wasn't sure with the restrooms being in the back where the connection would be. DM Beckmann clarified that in the back of the establishment there are restrooms on both sides. BM Rasinya added that the Board had a meeting there.

33 in favor. Motion carried.

Motion: CB 10 to deny the application for a New SLA Liquor/Wine/Beer/Cider license for Fravima Corp., d/b/a Buona Sera Restaurant & Pizza, 6522 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 liquor/alcohol other than the wine that has been approved on the premises until appropriate authorization is issued by the SLA.**
3. **The hours of operation will be Sunday - Thursday 11AM – 10PM and Friday & Saturday 11AM - 12 midnight.**
4. **The doors and windows are to remain closed while any amplified music is played.**
5. **There will only be background recorded and the sound level will remain below the level permitted by the NYC Noise Code.**
6. **There will be no music amplified on the outside of the premises.**
7. **The licensees shall not use any promoter or have promoted events.**
8. **There will be no outdoor use other than what is allowed by NYS/NYC Covid practices.**

9. There will be no smoking permitted.
10. There will be at least a 20% visible view into the establishment at eye level.
11. 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.

32 in favor. Motion carried.

Motion: CB 10 to deny the application for a New SLA Wine/Beer/Cider license for Gohan Sushi Inc., 533 86th Street, Brooklyn, New York 11209, 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 in the premise until appropriate authorization is issued by the SLA.
3. The hours of operation will be 11AM – 12 midnight seven days a week.
4. The doors and windows are to remain closed while any amplified music is played.
5. There will only be background recorded and the sound level will remain below the level permitted by the NYC Noise Code.
6. There will be no outdoor use.
7. There will be no music amplified on the outside of the premises.
8. The licensees shall not use any promoter or have promoted events.
9. There will be no smoking permitted.
10. There will be at least a 20% visible view into the establishment at eye level.
12. 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.

35 in favor; 1 abstention – BM Taoube. Motion carried.

Motion: CB 10 to deny the application for a New SLA Liquor/Wine/Beer/Cider license for Downtown Yummy Restaurant Inc., d/b/a BK Seafood Market, 842 64th Street, Brooklyn, New York 11220, 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 in the premise until appropriate authorization is issued by the SLA.
3. The hours of operation will be 11AM – 2AM seven days a week.
4. The doors and windows are to remain closed while any amplified music is played.
5. There will only be background recorded and the sound level will remain below the level permitted by the NYC Noise Code.
6. There will be no outdoor use.
7. There will be no music amplified on the outside of the premises.
8. The licensees shall not use any promoter or have promoted events.
9. There will be no smoking permitted.
10. There will be at least a 20% visible view into the establishment at eye level.
11. 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.

31 in favor; 1 opposed – BM Infantolino-Hajjar; 1 abstention – BM Taoube. Motion carried.

PPS Committee Chair Vellucci gave a brief informational report of the hearing for a liquor, wine, beer, cider application for Sexy By Nature, d/b/a SBN, 8121 5th Avenue, which the applicant chose to postpone following the PPS Committee meeting. The hearing will continue at the January 2022 Police and Public Safety Committee meeting.

OLD BUSINESS

BM Leo requested an update on the the Zoning 101 guide that had been in development. ZALUC Chair Cruz and DM Beckmann apologized for the delay, explaining that there had been a number of very involved Zoning issues recently and some technical issues with the program that was used to create the booklet that had caused some printing difficulties. The guide will be distributed once it is printed.

BM Harrison requested that Zoom polls not be launched until the full committee report is given.

BM Thum requested a follow up on Baci Ristorante and the abuses they create. DM Beckmann explained that Captain Tolson visited the establishment and complaints had decreased, however noise complaints continue to be reported intermittently. This is an ongoing issue. BM Thum expressed frustration since they are major offenders, and nothing gets done about it.

BM Vellucci added that all of the elected officials sent letters regarding Chill Corp problems and issues, yet Chill got their liquor license renewal. BM Thum clarified that even though CB 10 and elected officials said no to the renewal, it was granted anyway.

BM Grimaldi asked how we as a Community Board known for integrity and hard work, can make our voices be heard and say we are not taking this anymore, instead of feeling like we are getting beaten over and over. She suggested rising up and perhaps protesting by all quitting until our voice is heard.

NEW BUSINESS

Chair Willis addressed the comments raised. She agrees that yes, it is so frustrating, yet we cannot just throw in the towel. Board Members serve a very narrow role. Community Boards were created to voice the community's concerns. She went on to explain what our advisory role is. There are very narrow parts of the written law where we are required to be notified of certain things that go on and then follow a process to hold meetings and then submit comments. As a general rule, they look to us just for our opinion. We are a voluntary, lowest level of city government and we get to weigh in on certain things. We can say that no, we do not approve something, but we do not have the authority to approve or disapprove anything. We submit our opinion to whomever is listening. Sometimes it is the elected officials, sometimes it's the SLA, sometimes it's the Police Department or sometimes it's the Mayor.

This year has been very frustrating for many reasons – the pandemic, the administration, or the agencies who we give our advice to which may be overwhelmed, understaffed, etc. Chair Willis' message is that we need to scream as loudly as we can, we are the stick in the spokes of the big wheel that is turning. How can we resign and then not be heard? This is still a place, mandated by the City Charter, where we are given a purview. We have made changes, for example downzoning that occurred before her time on the Board. She agrees, yes, it's frustrating, but this is government – there is red tape, politics, etc., and if you resign, you are giving up part of your democratic right. We are grass roots, the base of democracy.

BM Grimaldi suggested that we commence a think tank to coordinate with other Community Board to discuss our frustration and perhaps come up with a plan. Chair Willis confirmed that there is a lot of collaboration with other Boards on certain issues. She also mentioned that it takes a lot of hard work, and our Board has been fortunate to have some Members who really step up and dig in when necessary, analyzing, researching, reading through piles of information, etc.

BM Rasinya shared that we as a Board have accomplished so many good things, especially when it comes to Traffic and Transportation. The actions of our Board have saved lives by having DOT make changes in certain areas. What is frustrating now is dealing with issues that are done deals coming from the Mayor's office, and no matter what input we provide, it is not going to change.

To the newer Board Members, we have been dealing with some issues recently that we could not change. But, in the past, we have been successful in representing the community and getting things done. He asked if we were not here, who would respond the way we do to the residents who have problems? The answer is no one. He mentioned that there are elected officials who would love to see us go, because we are a thorn in their side,

which is a good thing. He encouraged all to rethink their positions and stick with it, because we will have a lot more success in the future.

BM Hetteix requested the exploration of forming an ad hoc committee in January to discuss the 197-A plan, which is the Community Board sponsored and led design process forcing the city to do something that we want.

BM Vallas is hopeful that Mayor Elect Adams, who appointed half of our current Board Members as Borough President, may work differently than the current administration. BM Vallas had once spoken to him and explained his frustration that Board Members feel we cannot get things done.

ADJOURN

Chair Willis thanked the Board Members, wished all a happy holiday season and a happy New Year, adding that we will have a lot to do in the new year. The meeting was adjourned at 9:00 pm.

COMMUNITY BOARD 10 BROOKLYN
CHAIR'S REPORT
December 20, 2021 General Board Meeting

Good evening, and welcome to Community Board 10's December 20, 2021 General Board meeting.

This is our last Board meeting of 2021, and our agenda is relatively short, so hopefully we won't take too much time away from your shopping, cooking, baking, wrapping, and general merriment of the season.

It has been quite a year and we have seen many, many changes. When I think back on my Chair's report from this time last year, I am thankful that we have made the progress that we have against the corona virus. The year has been a challenging one for us as a Board in terms of the many legislative changes that have been proposed or effected. We were *very* busy all year long, and Santa should put us all on his nice list for all the hours that we've donated this year.

I'd like to mention that at the Borough Board meeting we were given a presentation by the Department of Transportation to update the members on the status and next steps for Open Restaurants. They are working on the permanent design goals. They are presently consulting with various agencies, including FDNY, the Departments of Health and Sanitation, Small Business Services and Al Fresco New York, a project of the Regional Planning Association, a non-for-profit coalition of hospitality, restaurant, transportation and design advocates. As for public engagement, they will be holding public round tables in January and they have a website where people can take a survey. They also mentioned that they would like submissions of photographs of what people considered good and bad design features for street structures. I urge everyone to attend the round tables and submit their comments on line in order to do our best to shape the way our city will look as we enter into this reconstruction of our streetscapes.

I was also very happy at the Borough Board meeting to be introduced to our incoming Borough President, Antonio Reynoso. He promises to work hard for Brooklyn and that he will be keeping us busy. I look forward to our Board's partnering with him as he steps into his role as Borough President, and our outgoing Borough President begins his term as Mayor.

As Mr. Reynoso said at the Borough Board: "Spread love; it's the Brooklyn way." (Some of you may recognize this song lyric, some maybe not, some of the other words of the song we can't repeat.) I really believe that these lyrics have it right. Spreading love is the Brooklyn way. I have always loved the big personalities and big hearts of Brooklyn—especially around the holidays. It's what drew me here and has kept me here for most of my life. It's the place that shaped so many of us. It's the reason we board members devote our time trying to amplify the voice of the Brooklyn people in this district. And, sometimes we disagree, and sometimes we get on each other's nerves, and sometimes we fight – but, like any big Brooklyn family, we work it out. So, to my big Community Board family, I thank each and every one of you for caring enough to disagree, to get aggravated, and to fight. You are spreading love the Brooklyn way all year long, and I thank you, thank you, thank you. I wish you the happiest of holidays, the very best 2022.

Respectfully submitted,

/s/ Lori Willis

Lori Willis, Chair

Brooklyn Community Board 10

District Manager Report
December 20, 2021

Good Evening Board Members,

I would like to provide an update to members regarding Dyker Lights. The Mayor's Office CECM helped coordinate 2 interagency meetings to prepare for this year's event. The two key issues we hoped to work on to respond to safety and quality of life complaints were raised. The two main issues are traffic control and vending. As you know Council Member Brannan passed a local law banning vending in the prime viewing area. This year, a shift of enforcement responsibilities from NYPD to the Department of Consumer and Worker Protection was implemented following a legislative change in NYC vending law. DCWP visited the vendors and issued warnings – however as soon as they left the vendors returned. DEP issued one violation for noise.

The 68th Precinct thanks to Patrol Borough Brooklyn South once again provided additional patrol officers and resources to address traffic control and pedestrian safety assistance. The NYPD light tower brightens the intersection at 12th Avenue and 86th Street for pedestrian safety at this intersection. It is also the tour bus drop off. The District Office receives many calls each year. One neighbor called to share that he had to call 911 and received a delayed response due to traffic congestion.

We plan on hosting a final interagency meeting following this year's Dyker Lights with agencies in January.

We remain unsure of the 2022 meeting schedule and hope to learn more in early January... stay tuned.

Dyker Park Commercial Vehicles Overnight and 7th Avenue

Following our November meeting – the 68 Precinct coordinated another tow operation in Dyker Heights and more will follow. We will be meeting in the new year to perform an in depth analysis of this issue. Stay tuned.

Leaf Collection 2021

I am happy to report that Community Board 10 distributed close to 600 leaf bags to residents following community outreach. I have to give a shout out to former Bay Ridge Historic Society President Jack Torre who shared his leaf collection on his block with the District Office.

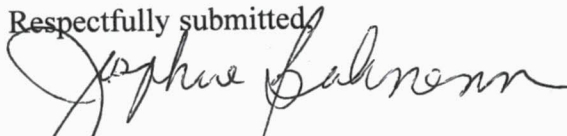
Announcements

Join me in congratulating Community Board 10 Member Essa Masoud who was voted to be the President of the 5th Avenue BID.. The BID is excited about the newly elected officers including Joe Sollecito as VP and Jim Clark as Treasurer.

The January General meeting will take place on Monday, January 24, 2022.

On behalf of Dorothy, Jennifer and myself, we would like to wish to all of you in celebrating -- a Merry Christmas and a healthy and prosperous New Year.

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	\$9,878.86	\$9,878.86	\$14,818.29	\$9,878.86								
COMMUNITY COORDINATOR	\$6,091.03	\$6,082.28	\$6,082.28	\$9,140.92	\$6,090.14								\$54,333.73
COMMUNITY ASSOCIATE													\$53,486.65
COLLEGE AIDE	\$1,944.65	\$2,047.00	\$2,047.00	\$2,865.81	\$1,842.33								\$10,746.79
Total Personal Services	\$17,914.54	\$18,008.14	\$18,008.14	\$26,825.02	\$17,811.33								\$98,567.17

ExpensesCode	Description	7/31/21	8/31/21	9/30/21	10/31/21	11/30/21	12/31/21	1/31/22	2/29/2022	3/31/22	4/30/22	5/31/22	6/30/22	Y - T - D
10B	Telephone	79.99	79.99	79.99	79.99	79.99								
10X	Intra-City Supplies													
40B	Intra-City Telephone													
100	Supplies & Materials				142.06									
101	Printing Supplies													
117	Postage													
170	Cleaning Supplies													
199	Data Processing Supplies													
302	Telecomm. Equipment													
314	Office furniture													
315	Office Equipment			5,450.00										
319	Security Equipment	120.00		120.00										
332	Data Process Equipment													
337	Books													
402	Tel./Communications	91.50		399.90	207.73	118.05								
412	Rental/Misc./Equip													
431	Advertising													
451	Leasing Misc. Equip.													
602	Local travel expenditures													
613	Telecomm. Maintenance	43.21	44.38	1,194.42	44.52	44.52								
613	Office Equip. Maint.													
615	Data Process Equipment													
622	Printing Supplies				230.00									
624	Temporary Services-contractual													
686	Cleaning Services													
684	Professional/Computer Services	588.00		325.00										
110	Food & Forage Supplies													
Total Other than Personal Services	\$922.70	\$124.37	\$7,569.31	\$704.30	\$242.56	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$9,563.24

TOTAL PS AND OTTS EXPENSES	18,837.24	18,132.51	25,577.45	27,525.32	18,053.89	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	108,130.41
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TOTAL UNCOMBURED BUDGET BALANCE														\$153,088.59
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Respectfully submitted,
Shirley Chinnody
Shirley Chinnody, Treasurer

**POLICE AND PUBLIC SAFETY COMMITTEE
COMMUNITY BOARD 10**

Date/Time: December 20, 2021 – 7:00PM

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

Meeting Via ZOOM on December 6, 2021

Quorum: YES

- **Request for an Alteration of Application for Liquor, Beer, Wine & Cider for Parkville Corp. - D/B/A. – Park Asia**
- Premises: 811 – 66th Street - Brooklyn, New York

This is an “alteration” application for a liquor, wine, beer and cider for this restaurant that is expanding into the adjacent attached building. This attached building will operate as a catering hall. The owners, Ying (Timmy) Chen and Steven Schaefer were present. The manager is Maggie Gu. This application does not have yet the Certificate of Occupancy. The application states there is a capacity for 100 people. There will be 86 seats with 13 tables. Photos and a floorplan were provided. There will be private parties as this will be a catering hall and there may be a D.J. for these events. There was no menu provided in this application. There is no adverse history associated with this address. Assemblyman Peter J. Abbate wrote a letter in support of this business’s expansion.

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

1. The premise will operate as a catering hall.
2. A Certificate of Occupancy be acquired.
3. There will be no sale or consumption of alcohol on the premises until appropriate authorization is issued by the SLA.
4. The hours of operation will be Sunday - Saturday 9AM – 11PM and the manager will be present at all times.
5. The doors and windows are to remain closed while any amplified music is played.
6. There will only be background recorded and/or a D.J. and the sound level will remain below the level permitted by the NYC Noise Code.
7. There will be no music amplified on the outside of the premises.
8. There will be no outdoor use.
9. The licensees shall not use any promoter or have promoted events.
10. There will be no smoking permitted.
11. There will be at least 20% visible view into the establishment at eye level.
12. 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.

- **Request for New Application for Liquor, Beer, Wine & Cider – Fravima Corp. D/B/A. - Buonasera Restaurant and Pizzeria**
- Premises: 6522 & 6524 - 11th Ave. - Brooklyn, New York 11219

This is a new application for a liquor, wine, beer and cider for this has been a full restaurant. The owner, Vincent Triolo was present. Anthony Bianchi, the attorney, was not present. This establishment's application for wine was approved last November of 2020. This premise has the Certificate of Occupancy. The photos or menu provided with the original application. There will be outdoor dining as long as NYS & NYC Covid 19 practices remain in effect. Otherwise, there will not be outdoor dining. There will only be background recorded music. There is no adverse history associated with this address.

After a discussion period, the committee's decision was 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 liquor/alcohol other than the wine that has been approved on the premises until appropriate authorization is issued by the SLA.
3. The hours of operation will be Sunday - Thursday 11AM – 10PM and Friday & Saturday 11AM-12 midnight.
4. The doors and windows are to remain closed while any amplified music is played.
5. There will only be background recorded music and the sound level will remain below the level permitted by the NYC Noise Code.
6. There will be no music amplified on the outside of the premises.
7. The licensees shall not use any promoter or have promoted events.
8. There will be no outdoor use other than what is allowed by NYS/NYC Covid practices.
9. There will be no smoking permitted.
10. There will be at least a 20% visible view into the establishment at eye level.
11. 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.

- **Request for New Application for Beer, Wine & Cider – Gohan Sushi, Inc.**
- Premises: 533 – 86th Street - Brooklyn, New York

This is a new application for restaurant wine license at this establishment. The owner, Jincheng Liu was not present. The attorney, James Wang was present. This owner was a manager of The Roast, Inc. located at 5124 – 8th Ave. in Brooklyn – as prior experience. This building has a Certificate of Occupancy. There were no photos of the interior provided with this application. There was a floor plan and menu. There will be no outdoor dining. There will only be background recorded music. The application states that the restaurant's capacity is 48 persons. There will be 20 seats and 6 seats at the bar.

There is no adverse history associated with this address.

After a discussion period, the committee's decision was 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 in the premise until appropriate authorization is issued by the SLA.
3. The hours of operation will be 11AM – 12 midnight seven days a week.
4. The doors and windows are to remain closed while any amplified music is played.

5. There will only be background recorded music and the sound level will remain below the level permitted by the NYC Noise Code.
6. There will be no outdoor use.
7. There will be no music amplified on the outside of the premises.
8. The licensees shall not use any promoter or have promoted events.
9. There will be no smoking permitted.
10. There will be at least a 20% visible view into the establishment at eye level.
12. 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.

- **Request for New Application for "On-Premise" Liquor, Wine, Beer & Cider License for Downtown Yummy Restaurant, Inc. d/b/a – BK Seafood Market**
- Premises: 842 64th Street - Brooklyn, New York

This is a new application for a full liquor license at this establishment. The owner, Shun Tai Liu was not present. The expeditor, Anthony Carabello was present. The application notes that this is a transfer of the license from Tianfulin, Inc. which will expire on 08/31/2023. This building has a Certificate of Occupancy. There are photos and a floorplan provided with this application. There was a menu. There will be no outdoor dining. There will only be background recorded music. The application states that the restaurant's capacity is 186 persons in total which includes the mezzanine level & first floor. There will be 136 seats and 27 tables. There is no adverse history associated with this address.

There are two large garage-like doors and one side door on the left. There is a sprinkler system.

After a discussion period, the committee's decision was 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 in the premise until appropriate authorization is issued by the SLA.
3. The hours of operation will be 11AM – 2AM seven days a week.
4. The doors and windows are to remain closed in coordination with any amplified music.
5. There will only be background recorded music and the sound level will remain below the level permitted by the NYC Noise Code.
6. There will be no outdoor use.
7. There will be no music amplified on the outside of the premises.
8. The licensees shall not use any promoter or have promoted events.
9. There will be no smoking permitted.
10. There will be at least a 20% visible view into the establishment at eye level.
11. 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.

- **Request for New Application for Liquor, Beer, Wine & Cider –Sexy By Nature Group, Inc.**
- Premises: 8121 – 5th Ave. - Brooklyn, New York 11209

This is a new application for a liquor, wine, beer and cider for this Japanese/Latin Fusion Restaurant. The owner, Angel Rawel Brea was not present. Attorney Neil Visoky was present. This premise has the Certificate of Occupancy. But it does **not** note the number of persons allowed.

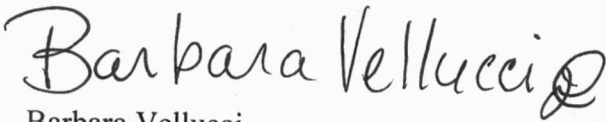
There were photos and menu provided with this application. There will not be outdoor dining. There will only be background recorded music. The application notes that the owner does not have any prior experience. There is no adverse history associated with this address prior to these owners.

Discussion began and several very serious issues were raised. There were five phone calls and an email from members of the community objecting to this establishment. Mr. Visoky was not able to respond to many of the Committee's questions and asked that we approve the application with stipulations.

The committee was in strong agreement that this/these owners have a blatant disregard for the community, the tenants and neighbors - and for the health and well-being of the tenants and neighbors and for NYS and NYC laws regard the smoking of hookah & the sale of alcohol without a license.

After a discussion period, the committee's decision was to **DENY** this application and to send a letter to the NYS Liquor Authority, however, following the meeting, Mr. Visoky informed the District Office that his client requested to postpone their application until the next meeting in order to have the opportunity for the owner/owners to appear.

Respectfully submitted,



Barbara Vellucci
Chairperson

Joint Zoning and Land Use Committee and Traffic and Transportation Committee Meeting

Open Restaurant Permanent Program Next Steps

December 8, 2021 via Zoom

The Zoning and Land Use Committee and Traffic and Transportation Committee member met in quorum to review the next steps in the Open Restaurants Permanent Program. The Department of Transportation and Department of City Planning provided a presentation outlining the next steps of this process at the Brooklyn Borough Board meeting held on December 7th at noon.

Open Restaurants Permanent Program is being formed to comply with NYC Local Law 114 and will consist of both a roadway café seating program and improvements /transfer of authority for sidewalk cafes as a successor to the Department of Consumer Affairs Sidewalk Café program and will be managed by DOT with rules to follow.

As you know, the Department of City Planning voted in support of text changes to move to this next stage to a program that will be guided by coming legislation and a rigorous public engagement process. It was stated by the Vice Chair Knuckles prior to his affirmative vote that it is the hope that the advisory role of Community Boards will be considered, and that the quality-of-life issues raised by communities with the expectation that those three areas will be vigorously enforced. The changes to the text will not go into effect until new rules have been adopted by DOT. This has not yet been voted upon by the NYC Council. It is scheduled to be voted upon at the last stated City Council Meeting on December 23, 2021.

Design Engagement Process- is published on the Department of Transportation Website. The permanent program will look different as compared to the emergency program. DOT will administer both the sidewalk and roadway seating program to be available citywide. DOT is looking at more robust, fine-tuned sidewalk clear path and roadway siting criteria. Interagency coordination on enforcement issues. DOT will enforce barriers, clear path, ADA compliance, amplified sound devices, NYPD will continue to enforce noise, DSNY – garbage renewal; and DOT will work with DOHMH to enforce food safety rules.

The engagement partners include FDNY, NYPD, DSNY, DOHMH, SBS meeting regularly to identify key issues and AI FrescoNYC coalition of industry professionals planning and accessibility advocates to collect best practices. There will be virtual public round tables hosted by DOT and DCP.

There will be only 2 virtual public round tables January 11, 2022 from noon to 1:30pm AND Wednesday, January 12, 2022 from 6pm to 7:30pm.

March 2022 will be the draft release and Spring 2022 additional round of public engagement and updated guidelines released. CAPA Process will be the Summer and Fall of 2022.

There were important questions raised at the Brooklyn Borough Board including.. will elected officials and Community Boards have a say when a Restaurant applies for an Open Restaurant Program? The answer was Community Board input has been a huge issue that we heard from folks across the city as part of the emergency program and we are actively thinking about the Community Board input in the process piece of this and we will be addressing moving forward.

Will DOT commit that there will be some type of input? Response was as we go forward it will not be self-certification CBs will have a say in the acceptance of restaurants? Will it be advisory or input? It is helpful to hear from Community Boards that they would like more of a say.

Richard Bearak, Land Use Director for Borough President Eric L. Adams stated it is critical when design process goes through.. that Boards provide input as to what are good examples, what are bad examples to share.

JOINT COMMITTEE DISCUSSION

The City is moving forward with this program. As you know, Board Members supported the emergency Open Restaurant program and extension through 2022, while raising concerns about clear path requirements and the impact on the retail landscape especially when multiple cafes are located on one block and giving up public space for private use.

Committee members pointed out that many of the outdoor café sheds that were built do not abide to temporary guidelines put forth by DOT and there has been little done to address these concerns. Many businesses are taking advantage of number of tables and chairs and what distinguishes an all-enclosed structure from dining inside? Members discussed roadway dining safety.. the night of our meeting there was a news story about an outdoor café just collapsed in Manhattan. What happens to all the current structures that are not in compliance and can the Department of Transportation handle the enforcement in a future permanent program?

Also discussed was that this is a small issue for many Community Boards who are not impacted by this program. We have nearly 200 sidewalk and roadside permits and we as well as Community Boards who are greatly impacted should have a seat at the table for input at the early stages of design recommendations. Community Boards that are impacted should join sister agencies currently meeting regularly.

In addition, members spoke about favorably about seasonal non-roof structures, an expansion of sidewalk café regulations that have more leeway and how to safely and respectfully have a program that takes all this feedback into consideration. Members also thought it important to note that CB10 never disapproved a sidewalk café application presented for our review and believes the new program should include CB review.

Community Board 10 has also supported local street fairs, sidewalk strolls and shopping locally.

The committee also noted that this program only supports restaurants, the all of the other business in our community that have been adversely impacted by the pandemic. We support our clothing stores, our independent pharmacies, our bookstores, our dry cleaners, our grocery stores, our hardware stores.

Members also stressed that we are a residential community except the 86th Street Business District. We understand concept of enlivening the street. In doing so, we must look carefully at the fact that we are a residential district. What we have on 3rd Avenue and 5th Avenue – which is where the bulk of issues can be found are all located within residential zones with a commercial overlay. The purpose of the overlay is to support the people in the residential community --not the other way around. We must remind the agencies that we are a residential district. We need to support the residents as we move forward.

There are also concerns that the Department of Transportation does not have the resources to monitor outdoor dining. Especially at 3 AM.

After much discussion a motion was made by BM Judith Grimaldi

MOTION: Committees recommend that we send a letter to the Department of Transportation and Department of City Planning to urge that Community Board Ten has a seat at the table during the Design Engagement process.

We want to make clear in this letter that the Open Restaurant program (which we supported) was an emergency approach to a crisis and that moving forward with a permanent program we need to work with DOT and DCP to create something that will work for our residential community.

The Department of Transportation and City Planning must acknowledge the impact outdoor dining has had within our mostly residential district and in moving forward we could support seasonal non-roof structures, an expansion of sidewalk cafes and any feature that would safely, effectively, and respectfully advance the concept of livening the public street while addressing the quality of life and safety impacts.

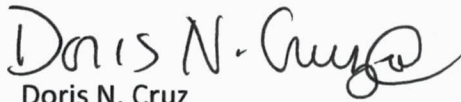
The Committees would like to also share examples of these impacts within our residential community including:

Lack of enforcement of existing rules

- a. Non-compliant sidewalk and street structures
- b. Amplified sound
- c. Street level noise complaints in District 10 up over 500%
- d. Vermin/Rat Issues
- e. Double parking – illegal parallel parking
- f. Compliance of sidewalk clearance and clear path regulations

Pedestrian/Vehicular Traffic Safety – (public transit, personal vehicles, bicycles, e-bikes, scooters), traffic safety and pedestrian safety.

Respectfully Submitted,

A handwritten signature in black ink that reads "Doris N. Cruz". The signature is written in a cursive style with a large, stylized "D" and "C".

Doris N. Cruz

ZALUC Chair

STATE LIQUOR AUTHORITY – NEW APPLICATIONS & RENEWALS

<u>Name/Address</u>	<u>Received at CB 10</u>	<u>Status</u>
QSWYDXHN Inc. d/b/a Super Sushi 9208 3 rd Avenue	12/16/2021 certified mail	*New Application Wine, Beer & Cider
Tereus Café Inc., d/b/a Omonia Café 7612-14 3 rd Avenue	1/10/2022	Renewal Liquor, Wine, Beer & Cider
O’Sullivan Pub & Grub Ltd. 8902 3 rd Avenue	1/14/2022	*Alteration Liquor, Wine, Beer & Cider
Annabell’s Pastaria Inc. 717 86 th Street	1/18/2022 in-person	Renewal Wine, Beer & Cider

* Will be invited to present application at Police & Public Safety Committee Meeting in February 2022.