

**Community Board 10 Board Meeting Member Attendance**  
**December 18, 2023, 7:00pm, Norwegian Christian Home, 1250 67<sup>th</sup> Street**

**Board Members Present:35**

Teri Brennan  
Tracie Britton  
Barbara Buchalter-Pollack  
Jaynemie Capetanakis  
Leodan Castillo  
Shirley Chin  
Judith Collins  
Richard Day  
Carmelo DiBartolo  
Elizabeth Edmonds  
Chris Elisson  
Ann Falutico  
Carmen Feliciano  
Michael Festa  
Barbara Germack  
Stephen Harrison  
Daniel Hetteix  
Habib Joudeh  
Pierre Lehu  
Daniel Loud  
Elizabeth Lovejoy  
Stephanie Simone Mahaney  
Essa Masoud  
Nicholas Massab  
Ruth Greenfield Masyr  
Marie Mirville-Shahazada  
Danielle Mowery  
Dean Rasinya  
Dr. Husam Rimawi  
Lawrence Stelter  
Julie Thum  
Sandy Vallas  
Barbara Vellucci  
Lori Willis  
Jack Zhang

**Board Members Excused: 13**

Salah Altayeb  
Ibrahim Anse  
Jonathan Bova  
Christopher Cesarani  
Doris Cruz  
Senja Frangipani  
Dianne Gounardes  
June Johnson  
Stella Kokolis  
Nikolaos Leonardos  
Joseph Sokoloski  
Henry Stewart  
Jana Toubé

**AMENDED AGENDA  
COMMUNITY BOARD 10 GENERAL MEETING  
December 18,2023, 7:00 pm  
Norwegian Christian Home, 1250 67<sup>th</sup> Street  
YouTube Livestream: [bit.ly/3HLO5lw](https://bit.ly/3HLO5lw)**

**PLEDGE OF ALLEGIANCE**

**Honor of the Pledge**

**ADOPTION OF AGENDA**

**ADOPTION OF MINUTES**

**November 20,2023 Board Meeting**

**PUBLIC SESSION**

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

**PUBLIC HEARINGS**

**Application for a new retail dispensary premises at  
6918 5<sup>th</sup> Avenue, MRC6918LLC**

**Committee Report and Recommendation  
Discussion and Vote**

**Application for a new retail dispensary premises at  
455 86<sup>th</sup> Street, RMAN Holdings LLC**

**Committee Report and Recommendation  
Discussion and Vote**

**Application for a new retail dispensary premises at  
455 86<sup>th</sup> Street, High of Brooklyn LLC**

**Committee Report and Recommendation  
Discussion and Vote**

**Application for a new retail dispensary premises at  
6817 3<sup>rd</sup> Avenue, My Happy Weed**

**Committee Report and Recommendation  
Discussion and Vote**

**Application for a new retail dispensary premises at  
1205 86<sup>th</sup> Street, F.M. Natural Leaf Inc.**

**Committee Report and Recommendation**

**CHAIR'S REPORT**

**DISTRICT MANAGER'S REPORT**

**TREASURER'S REPORT**

**COMMITTEE REPORTS**

**ZONING AND LAND USE COMMITTEE**

**Update on continued Committee review of proposed  
Citywide text amendment, City of Yes – Economic  
Opportunity**

**Informational Report**

**ENVIRONMENTAL COMMITTEE**

**Update on DSNY Compost Collection Program**

**Informational Report**

**YOUTH SERVICES, EDUCATION, LIBRARIES COMMITTEE**

**Update on NYC School Construction Authority  
Capital Projects within Community District 10**

**Informational Report**

**OLD BUSINESS**

**NEW BUSINESS**

**ADJOURN**

**Community Board 10 General Board Meeting Minutes**  
**December 18, 2023, 7:00 pm, Norwegian Christian Home, 1250 67<sup>th</sup> Street**  
**YouTube Livestream: <https://www.youtube.com/watch?v=10hgVL44unQ>**

Chair Capetanakis called the meeting to order at 7:03 pm and led the Pledge of Allegiance.

Chair Capetanakis called for the Adoption of the Agenda. Motion by BM Julie Thum, seconded by BM Dean Rasinya.

**All in favor. Motion carried.**

Chair Capetanakis called for the Adoption of the Minutes from the November 20, 2023 Board Meeting. Motion by BM Joudeh, seconded by BM Collins.

**All in favor. Motion carried.**

**PUBLIC SESSION**

State Senator Andrew Gounardes:

- Reiterated that his office has moved to 497 Carroll Street but will still have representation in Justin Brannan's office twice a week.
- Highlighted the expansion of the child tax credit and provided leaflets about the new changes.
- Announced his legislation, Freelance Isn't Free, was recently signed into state law by the governor. The legislation expands protections for freelance workers and gives them more recourse options for non-payment of their services.
- Went over the state's current budget and emphasized that it is currently in flux and he believes that the budget deficit will be significantly reduced over the coming months.
- Stated his three priorities for the next year are the renewal and expansion of the red-light camera program, addressing the housing crisis and a bill to protect children on social media.
- Currently working with the DOT to make Marine Avenue safer after the recent pedestrian fatality.
- Expressed his hope that Big Chief has been closed by the Attorney General for good after it was recently shuttered for selling cannabis illegally.
- Wished everyone Happy holidays!

Councilman Justin Brannan:

- Greeted everyone and thanked Community Board Ten for their hard work and efforts.
- Echoed Senator Gounardes's hope that the state continues to crack down on illegal cannabis shops.
- Announced that the 68th precinct will be providing more traffic cops for the Dyker Heights lights.
- Asked for the Community Board to come up with their top ten concerns about the City of Yes to take to the Department of City Planning as the proposal moves forward.
- Wished everyone Happy Holidays!

Councilwoman Alexa Aviles:

- Greeted everyone and announced that this was her first time appearing at the Community Board in person.
- Highlighted the closures of Sunday library services due to city budget cuts and stated that she and the Council are working on trying to restore services.
- Provided information about the new redistricting and where the new district lines will be in January.
- Announced that the DOB will be at her office at 4417 4<sup>th</sup> Avenue on Wednesday December 20<sup>th</sup> to answer questions.
- Wished everyone Happy Holidays!

State Representative Alec Brook-Krasny:

- Greeted everyone and wished Happy Holidays to all!

Jessica Kallo representing Borough President Antonio Reynoso:

- Wished everyone a Happy Holiday and announced that the applications for Community Board membership are open. Applications are open until February 19, 2024, and paper applications can be provided, if needed.

Zunera Ahmed representing State Senator Iwen Chu:

- Greetings on behalf of Iwen Chu and provided copies of the office information for the Senator.
- Announced that the Senator just introduced a legislative package concerning e-bike safety and lithium-ion batteries. Some of the proposals in the package include the need for fire suppression systems and driver education.
- Wished everyone Happy Holidays!

BM Carmen Feliciano inquired if any of the proposals concerning e-bikes would require that the vehicles have some kind of registration and/or license plates. Ms. Ahmed will take the question back to the office.

Jack LaTorre regarding the City of Yes:

- Expressed his concerns about the City of Yes proposal for housing which would allow for garages and “backyard cottages” to be used as permanent housing.

Doug Truax regarding cannabis dispensaries:

- Expressed concern about legal cannabis shops causing quality of life issues for residents due to the smell and smoke issues.
- Inquired as to why the illegal shops weren't under control before allowing legal businesses.

Board Member Habib Joudeh:

- Thanked everyone for their hard work on the board and expressed his hope to be able to serve on the board for many more years.
- Wished everyone Happy Holidays!

## **PUBLIC HEARING**

In the matter of a new retail cannabis dispensary MRC6918LLC at 6918 5th Avenue, Brooklyn NY 11209, the Committee Report and Recommendation was rendered by Police and Public Safety Committee Chair Elisson. See Attached.

**Motion: CB10 to request the Office of Cannabis Management deny the application for the following reasons:**

- 1. Applicant failed to submit questionnaire to CB 10.**
- 2. Applicant did not show up either in person or on Zoom to CB 10 meeting.**
- 3. The proposed premise 6918 5<sup>th</sup> Ave is approximately 292 feet and located on the same road as The Islamic Society of Bay Ridge located at 6807 5<sup>th</sup> Avenue which is a mosque and a community center. The mosque holds prayer service several times during the day and hosts several community events.**

BM Habib Joudeh asked about the cannabis application process and the Community Board's role. Board Member Elisson clarified that New York State Office of Cannabis Management does an in-depth background check on applicants and that the Community Board's role is to form an opinion which is then taken into consideration by the State. Community Board Ten sends its own questionnaire out to all applicants as part of the board's process of forming an opinion.

BM Barbara Vellucci further added that the board's role is not to form an opinion as to whether they approve of cannabis businesses, in general, but more that the applicants are following guidelines such as distances from schools, places of worship etc.

BM Falutico asked about the distance of the proposed location from the Islamic Society of Bay Ridge. BM Elisson stated that although the Islamic Society of Bay Ridge is a mosque, which would only require that dispensaries not be within 200 feet of, it can also be considered a community facility which requires a 500-foot distance.

**All in favor with one recusal – BM Lovejoy. Motion carried.**

In the matter of a new retail cannabis dispensary RMAN Holdings at 455 86<sup>th</sup> Street, Brooklyn NY 11209, the applicant withdrew their application.

In the matter of a new retail cannabis dispensary High of Brooklyn LLC at 455 86<sup>th</sup> Street, Brooklyn NY 11209, the Committee Report and Recommendation was rendered by Police and Public Safety Committee Chair Elisson. See Attached.

**Motion: CB10 to request the Office of Cannabis Management deny the application unless the following stipulations are agreed to:**

- 1. The hours of operation will be Sunday – Wednesday 11AM to 8PM, Thursday 11AM to 9PM, Friday and Saturday 11AM to 11PM for a total of 70 hours per week.**
- 2. Security Guards will be utilized.**

3. No smoking and no consumption will be permitted on the premises.
4. If people congregate outside, the security personnel will disperse.
5. A queuing access system will be used.
6. The applicant will not exceed the Certificate of Occupancy.
7. E bikes will not be used for delivery service.
8. The applicant will provide a floor plan to the board.
9. The applicant will provide an employee manual and an overview of training.
10. There will be an ID check at the alcove.
11. The applicant will utilize an ID scan system.
12. The applicant will utilize cameras in all the access points.
13. If there are glazing requirements the applicant will meet such requirements as outlined in the Marijuana Taxation Act (MRTA).
14. Prior to opening, the Committee/Board will have a meeting with the applicant to review the security plan, floor plan and any concerns that may arise.

Discussion about security requirements and ID checks followed. The applicant agreed to using licensed security agencies although it is not a requirement from the State and Community Board Ten will not necessarily require all applicants to have guards. ID checks are mandatory for in person and delivery services. Further discussion about how stipulations work and what happens if they are not followed. BM Ellison stated that the stipulations are requests from the Community Board that applicants do not necessarily need to agree to, although once they are agreed to Community Board Ten can work with the Office of Cannabis Management if they are not enforced.

Concerns were raised about the number of hours that the applicant will be operating under as well as the fact that 86<sup>th</sup> Street is frequented by a large teen population. Community Board Ten did propose that the business possibly close during certain hours when high school let out, however, per regulations, Community Boards cannot request that a business operate for less than seventy hours, and that proposal was untenable for the business. The business is utilizing an ID verification system to minimize the use of fraudulent IDs.

**17 in favor, 9 opposed. Motion carried.**

In the matter of a new retail cannabis dispensary, Little Café LLC, d/b/a My Happy Weed at 6817 3rd Avenue, Brooklyn NY 11209, the Committee Report and Recommendation was rendered by Police and Public Safety Committee Chair Elisson. See Attached.

**Motion: CB10 to request the Office of Cannabis Management deny the application submitted by Little Café LLC, d/b/a My Happy Weed at 6817 3rd Avenue, Brooklyn NY 11209 for the following reasons:**

1. The location is on the same road as the new DOE grammar school currently under construction located at 6740 3rd Avenue/ 280 Senator Street approximately 400 feet distance.
2. The premises are in proximity and on the same road as The Guild for Exceptional Children located on the corner of Senator Street and 3rd Avenue approximately 230 feet distance.

3. **The premises are located around the corner from the Gateway City Academy located at 257 Bay Ridge Ave. This is a Pre-K and a K-8 school.**
4. **The applicant's window previously displayed "We Sell Marijuana" and has sold marijuana.**
5. **Adverse history at this location including complaints of selling to underage children.**

**All in favor with 1 recusal - BM Mowery. Motion carried.**

BM Harrison asked if cannabis businesses would be impacted if a new school were to open within 500 feet of them or would they be grandfathered. BM Elisson stated he would take that question to the Office of Cannabis Management.

In the matter of a new retail cannabis dispensary, F.M. Natural Leaf Inc., located at 1205 86<sup>th</sup> Street, Brooklyn NY 11209, the committee has requested a 30-day extension from OCM to review the application at the next meeting since the original notice was not properly delivered to the Community Board District Office. (30 day extension has since been approved.)

**CHAIR'S REPORT – See Attached**

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

**TREASURER'S REPORT – See Attached**

**COMMITTEE REPORTS**

**ZONING AND LAND USE COMMITTEE**

ZALUC Chair Simone-Mahaney rendered the report. See Attached.

**ENVIRONMENTAL COMMITTEE**

Environmental Chair Britton rendered the report. See Attached.

Questions followed about what is allowed to be composted. Paper products that are heavily soiled with food can be composted. Animal waste still goes with the regular garbage.

**YOUTH SERVICES, EDUCATION AND LIBRARIES COMMITTEE**

Chair Capetanakis waived the reading of the Informational Report as the Committee Chair had to leave the meeting early. See Attached.



## **OLD BUSINESS**

None

## **NEW BUISNESS**

BM Larry Stelter lamented the loss of the building at 4<sup>th</sup> avenue and 66<sup>th</sup> street which was recently demolished. The building was previously a Rex Cole/GE showroom that had been designed by architect Raymond Hood.

BM Shirley Chin announced that a new BSA scouting troop has been formed at Bay Ridge Catholic Academy for girls in 5<sup>th</sup> to 10<sup>th</sup> grade.

BM Day spoke about the city eliminating the funding for the community composting program as part of the recent budget cuts. Asked that those interested in keeping the program alive reach out to their elected officials.

With no further business Chair Capetanakis adjourned the meeting at 8:45 PM and wished all a very Happy New Year.

POLICE AND PUBLIC SAFETY COMMITTEE  
COMMUNITY BOARD 10

Date/Time: December 13, 2023/7:00 PM  
Called to order: 7:00 PM  
Place: Hybrid Meeting, CB10 Office/Zoom  
Quorum: In person Quorum reached (See attached)

The Police and Public Safety Committee meeting was held on December 13, 2023, the meeting was a hybrid meeting, in person at CB10 district office and on Zoom. The committee met in quorum and the agenda was as follows:

- Application for new retail dispensary premises at 6918 5th Avenue, MRC6918LLC
- Application for a new retail dispensary premises at 455 86th Street, RMAN Holdings, LLC, License number CAURDOCM-000-176
- Application for a new retail dispensary premises at 455 86th Street, High of Brooklyn, LLC
- Application for a new retail dispensary premises at 6817 3<sup>rd</sup> Ave Brooklyn, NY 11220 My Happy Weed
- Application for new retail dispensary premises at 1205 86<sup>th</sup> Street, F.M. Natural Leaf Inc.

**Application for new retail dispensary premises 6918 5<sup>th</sup> Ave MRC6918LLC**

The applicant failed to submit a questionnaire, nor did they come to the PPS committee meeting on December 13. The applicant was emailed on December 1, and on December 5<sup>th</sup> (see attached) also on December 11<sup>th</sup> a message was left to a family member at the number that was provided.

After a discussion period the committee's motion is to give a **negative opinion and request the Office of Cannabis Management deny** the applicant for the following reasons:

1. Applicant failed to submit questionnaire to CB 10.
2. Applicant did not show up either in person or on Zoom to CB 10 meeting.
3. The proposed premise 6918 5<sup>th</sup> Ave is approximately 292 feet and located on the same road as The Islamic Society of Bay Ridge located at 6807 5<sup>th</sup> Avenue which is a Mosque and a community center. The mosque holds prayer service several times during the day and hosts several community events.

The committee met in quorum and the vote was unanimous to deny.

**Application for a new retail dispensary premises at 455 86th Street, RMAN Holdings, LLC, License number CAURDOCM-000-176**

The applicant Edgar Kleydman emailed CB 10 and withdrew his application on December 11, 2023.

**Application for a new retail dispensary premises at 455 86th Street, High of Brooklyn, LLC, OCM application number OCMRETL-2023-001658**

The applicants were present via zoom Naomi Perez 51%, Vincent Camponsano 49% and their attorney Andrew Cooper. Currently the proposed location is vacant with the applicants leasing the premises. The Certificate of Occupancy was provided and lists 40 people for the first floor. The proposed hours of operation are Sunday – Wednesday 11AM to 10PM, Thursday – Saturday 11AM to 11PM for a total of 80 hours per week. The exterior will be managed by utilizing a security guard and queuing to restrict the number of patrons on the premise should it be needed. There will be no advertising at this time. The premises will have cameras inside and outside with security guards to monitor the premises. There will be a delivery service offered and as per the questionnaire that was submitted, it will be 2 people per car with cameras. The applicant did post CB 10 public hearing notice on the premises. After a lengthy discussion the **committee's opinion is to approve the applicant with the following stipulation:**

1. The hours of operation will be Sunday – Wednesday 11AM to 8PM Thursday 11AM to 9PM Friday and Saturday 11AM to 11PM for a total of 70 hours per week.
2. Security Guards will be utilized.
3. No smoking and consumption will be permitted on the premises.
4. If people congregate outside the security personnel will disperse.
5. A queuing access system will be used.
6. The applicant will not exceed the Certificate of Occupancy.
7. E bikes will not be used for delivery service.
8. The applicant will provide a floor plan to the board.
9. The applicant will provide a employee manual and an overview of training
10. There will be an ID check at the alcove.
11. The applicant will utilize an ID scan system.
12. The applicant will utilize cameras in all the access points.
13. If there are glazing requirements the applicant will meet such requirements as outlined in the Marijuana Taxation Act (MRTA).
14. Prior to opening the Committee/ Board will have a meeting with the applicant to review the security plan, floor plan and any concerns that may arise.

The applicant has agreed to the stipulation, through their attorney the committee met in quorum and voted unanimously in favor.

**Application for a new retail dispensary premises at 6817 3<sup>rd</sup> Ave Brooklyn, NY 11220 Little Café LLC DBA My Happy Weed application number OCMRETL-2023-001091**

The applicant Shelia Mark was present via Zoom, currently the premise has a Cannabinoid Hemp License issued by New York State number OCM-HMPR-23-06486-001. The hours of operation are Monday – Saturday 10AM to 7PM and closed on Sundays for a total of 54 hours. The applicant had sold Marijuana, but believed it was within the legal limits. Prior to the meeting, 068 Pct were requested to look up any adverse history for the address. From 2022-2023 they have had multiple narcotic investigations resulting from community complaints aside from

911 calls. One call in 2022 was for selling to under-age children. another in 2023 was for selling to under-age children. The applicant was unaware of any of these complaints.

After a discussion period a motion was made to give a **negative opinion and have her application denied** for the following reasons:

1. The location is on the same road as the new DOE grammar school currently under construction located at 6740 3<sup>rd</sup> Avenue/ 280 Senator Street approximately 400 feet.
2. The premises are in proximity and on the same road as The Guild for Exceptional Children located on the corner of Senator Street and 3<sup>rd</sup> Avenue approximately 230 feet.
3. The premises are located around the corner from the Gateway City Academy located at 257 Bay Ridge Ave. This a-Pre-K and a K-8 school.
4. The applicants window previously displayed "We Sell Marijuana" and has sold Marijuana.
5. Adverse history at this location of previous complaints.

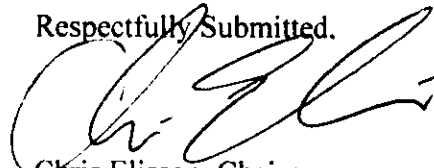
The committee met in quorum and the vote was unanimous to give a negative opinion to deny the applicant.

**Application for new retail dispensary premises at 1205 86<sup>th</sup> Street, F.M. Natural Leaf Inc.**

A request is to be made to the Office of Cannabis Management for a 30-day extension to review the application. The Notice to the Community Board 10 office was done improperly. The notice was found outside on the ground floor of the board's office in a plain unmarked manila envelope. The notification is supposed to be made by certified mail, return receipt requested, overnight delivery with proof of mailing, or personal service upon the offices of the clerk or community board. After discussion the committee motioned to apply for a 30-day extension and review at the next meeting. The motion passed unanimously.

The meeting ended at approximately 9:05PM.

Respectfully Submitted,



Chris Elisson, Chairperson

Good evening, board members and welcome to our December meeting. During this festive season, we are fortunate to be at the St. Nicholas home surrounded by the beauty of Dyker Lights. If you love the warmth of holiday decorations, then seeing the magnificent displays in Dyker Heights and Bay Ridge are part of your traditions. We wish a Happy Holiday to all who are celebrating during this season of light.

At the end of November, after our general board meeting, CB 10's Zoning and Land Use Committee held a public meeting to share more information about the proposal for Economic Opportunity, which is part of Mayor Adams' City of Yes. If you regularly attend our Community Board meetings, you may recall hearing about the City of Yes previously. Back in June 2023, in my Chair report, I had shared that there are three proposed zoning text amendments that are part of the City of Yes, which are Zoning for Carbon Neutrality, Zoning for Economic Opportunity, and Zoning for Housing Opportunity. Each of these proposals is staggered to allow time for feedback and each is intended to update zoning regulations. In June, the Zoning committee shared information on Zoning for Carbon Neutrality, which had seventeen areas of impact and our committee members gave a thorough review and outlined many areas where they had questions or concerns. Just a few weeks ago on December 6, 2023, the City Council voted to approve the City of Yes for Carbon Neutrality zoning text amendment.

The second part of this proposal is Zoning for Economic Opportunity, which is what was discussed at our November public meeting and what will be discussed in tonight's report by Chair Stephanie Simone-Mahaney. There are 18 bullet points in this proposal that are spread over 4 wide reaching goals to help businesses grow and as they went through it, our committee had questions. At our November 29<sup>th</sup> meeting, some residents did have some misunderstandings. Some who were present seemed to think that The City of Yes was something specific to only our community; it is not, it is a citywide proposal, which is supported by our Mayor and our Borough President. Others thought it was something coming from one of our local elected officials; it is not, it is a proposal from the Mayor's office. Some at the meeting thought they would be voting on this or that the Community Board votes on it. Our City Council members will be the ones responsible to vote on The City of Yes in each of its three areas. As I shared, the vote on Carbon Neutrality has occurred. In February, the vote on The City of Yes for Economic Opportunity will go to the City Planning Commission. Then, it will proceed to the NYC Council for review. It is expected to come up for City Council vote in late Spring. Our role as a community board is to offer feedback during this window of time to inform our elected officials. We do not vote on the proposal, we can only send our feedback in the form of a letter. We thank the zoning committee for their time and service going through over 1000 pages of this proposal. And, we thank all who came out or tuned in to learn more. This is an opportunity for dialogue.

The typical zoning meeting usually has less than 10 members of the public in attendance. Over 200 of our neighbors attended our public meeting on November 29, 2023. We also need to remember that the community we represent has about 140,000 residents. So, while 200 is an amazing number, it is still less than 1% of our population and only a fraction of our community. All of our meetings are public, however, not all of our meetings are well attended by the public. The third phase of this proposal, which is the City of Yes for Housing Opportunity is expected to come up for public review in the spring. Information on all of this and the slide shows shared by the City Planning Commission are available on the NYC website. I encourage you to go to the city website and learn more about the proposals.

Civic engagement allows individuals to have a voice. It was at our last meeting that the issue was brought up to prioritize pedestrian safety after the tragic hit and run crash that took the life of one of our neighbors. We have asked our Traffic and Transportation Chair Jack Zhang to add this to the committee's agenda. District Manager Beckmann has also provided him with background on our previous Pedestrian Safety sub-committee and data on intersections and daylighting to help inform the discussion. We encourage our community members to keep attending our meetings. All of our committee meetings are hybrid, and you can either attend in person, or tune in via Zoom. Recordings of meetings are also available on our YouTube channel. It is important to recognize that issues that come up before the community board really do effect how we live in our neighborhood. We hope that part of everyone's New Year's resolutions will be to stay active, involved and engaged in our Community.

Respectfully submitted, Jaynemie Capetanakis, Chair, CB 10



**District Manager Report**  
**December 18, 2023**

Good Evening Board Members,

I would like to introduce you formally to Amanda Smith, Community Associate who is part of the District Office team. Dorothy is under the weather this evening.

I would also like to thank all who contributed to Bay Ridge Cares Pajama Drive for dropping off pajamas to the District Office. The Bay Ridge Cares team picked up the donations that will benefit homeless and domestic violence shelters and pediatric hospitals.

As I mentioned last month, the Mayor's Office of Citywide Event Management Coordination assists each year with organizing interagency meetings in advance of the beginning of the Dyker Lights viewing season to provide additional resources to the area including patrol personnel, corner baskets, light tower to aid pedestrian safety at 86<sup>th</sup> Street at 12<sup>th</sup> Avenue. This past Friday evening, I joined the Mayor's CECM unit, several city agencies at Dyker Lights for a walkthrough. The two issues addressed included traffic management and unlicensed food vending. The District Office also requested additional Express buses following complaints of overcrowded buses.

The 68<sup>th</sup> Precinct to date has assigned patrol officers and resources to address traffic control and pedestrian safety. The NYPD light tower brightens the intersection at 12<sup>th</sup> Avenue and 86<sup>th</sup> Street for pedestrian safety at this intersection. It is also illuminates the tour bus drop off. The District Office receives many calls each year. Neighbors upset tour buses, traffic congestion and unlicensed vending. City Council Member Justin Brannan has been very helpful in securing additional traffic control following many calls for assistance from area neighbors concerned about maintaining flow of traffic especially in the event that an emergency vehicle is required to access one of the many blocks in the prime viewing area.

Congratulations to the 3<sup>rd</sup> Avenue Merchants and 5<sup>th</sup> Avenue BID for hosting successful holiday tree lighting and seasonal events.

I would like to provide Board members with an update regarding the Department of Social Services notification of the siting of homeless shelter to be located at 6530 4<sup>th</sup> Avenue in partnership with not-for-profit provider Volunteers of America. This is very early in the process, in fact, plans have not yet been approved by the Department of Buildings. On behalf of the CB10, I did request a meeting with DSS and the provider and received a response that since this is early in planning stages, it would be best to schedule a meeting in Spring. I will continue to keep you apprised.

The NYC Department of Transportation notified the District Office that traffic signal was approved for the intersection of 11<sup>th</sup> Avenue at 73<sup>rd</sup> Street.

The NYC Department of Sanitation announced that in observance of Christmas Day, Monday, December 25, 2023, there will be NO trash, curbside composting nor recycling collection on the holiday.

Residents who normally receive **Monday trash, recycling or curbside compost** collection may place their material out at curbside Monday evening for collection beginning **Tuesday, December 26**.

**Announcements**

The January General meeting will take place on Monday, January 22, 2024 at the Knights of Columbus 1305 86<sup>th</sup> Street.

On behalf of Dorothy, Amanda and myself, we would like to wish to all of you in celebrating -- a Happy Holiday season and a healthy and prosperous New Year.

Respectfully submitted,



Josephine Beckmann  
District Manager



**COMMUNITY BOARD TEN  
TREASURER'S REPORT**

Fiscal Year: July 1, 2023 to June 30, 2024

Budget Appropriation for FY 2024		inc. Council grant										\$276,833.00		
		7/31/23	8/31/23	9/30/23	10/31/23	11/30/23	12/31/23	1/31/24	2/28/24	3/31/24	4/30/24	5/31/24	6/30/24	Y - T - D
<b>DISTRICT MANAGER</b>		\$10,258.97	\$10,245.94	\$15,368.91	\$10,245.94	\$10,245.94								\$56,365.70
<b>COMMUNITY COORDINATOR</b>		\$8,278.75	\$6,880.96	\$10,321.44	\$6,889.21	\$6,889.21								\$39,259.57
<b>COMMUNITY ASSOCIATE</b>						\$1,937.59								\$0.00
<b>COMMUNITY ASSISTANT</b>		\$530.64	\$236.38	\$531.09	\$313.88	\$310.00								\$1,154.97
<b>COLLEGE AIDE</b>														\$0.00
<b>Total Personal Services</b>		<b>\$19,068.36</b>	<b>\$17,363.28</b>	<b>\$26,221.44</b>	<b>\$17,449.03</b>	<b>\$19,382.74</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$99,484.65</b>

Expenses Code	Description	7/31/23	8/31/23	9/30/23	10/31/23	11/30/23	12/31/23	1/31/24	2/28/24	3/31/24	4/30/24	5/31/24	6/30/24	
10B	Telephone	79.99	79.99	79.99										
10S	Intra-Civ. Supplies													
40B	Intra-Civ. Telephone													
100	Supplies & Materials		83.95		332.54									
101	Printing Supplies													
117	Postage					2,500.00								
170	Cleaning Supplies													
199	Data Processing Supplies													
302	Telecomm. Equipment													
314	Office Furniture													
315	Office Equipment													
319	Security Equipment	130.80		130.80										
332	Data Process Equipment													
337	Books													
402	Tel./Communications		89.68	395.77	206.17	162.89								
412	Rental/Misc./Equip													
417	Advertising													
431	Lensing Misc. Equip													
451	Local travel expenditures													
602	Telecomm. Maintenance	51.44	1,200.94	51.42	51.42									
613	Office Equip. Maint													
615	Data Process Equipment													
622	Printing Supplies													
624	Temporary Services-contractual			200.00		200.00								
684	Cleaning Services													
686	Professional/Computer Services	680.40	375.00		735.00									
676	Infrastructure/Maint/Operation													
<b>Total Other than Personal Services</b>		<b>\$842.63</b>	<b>\$1,829.56</b>	<b>\$857.98</b>	<b>\$1,405.12</b>	<b>\$2,914.31</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$7,949.60</b>
<b>TOTAL PS AND OTFS EXPENSES</b>		<b>20,010.99</b>	<b>19,192.84</b>	<b>27,079.42</b>	<b>18,854.15</b>	<b>22,297.05</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>107,434.45</b>

**TOTAL UNCOMBINED BUDGET BALANCE** **\$169,498.55**

Respectfully submitted,  
*Jana Taoube*  
Jana Taoube, Treasurer

**ZONING AND LAND USE COMMITTEE**  
**City of Yes for Economic Opportunity**  
**November 29,2023 Public Meeting and**  
**December 11, 2023 Department of City Planning Meeting**  
**CB #10-Brooklyn**

The Zoning and Land Use Committee met on Monday December 11, 2023 in a hybrid meeting format at the District Office and on Zoom. The Committee did not have an in-person quorum.

This Zoning and Land Use Committee meeting was the 12th meeting in a series of meetings dedicated to the discussion, analyses, and reporting of the 1127 page Zoning Text Amendment for the City of Yes, Economic Opportunity. It was the third (3rd) meeting with representatives from the Department of City Planning. The first in this ZALUC/CB10 meeting series was on November 30, 2022 with Chair Doris Cruz. Six (6) of these 12 meetings were open to the public for information, questions, and comments and remain online (YouTube) for additional viewing and review. The other meetings were ZALUC working groups dedicated to reading and understanding the extensive changes to the zoning text and the implications for Community District 10. Findings, questions, and concerns from the Committee's working groups were reported in detail during CB 10 General Board Meetings and are available in the Committee Chair's reports.

In addition to the meetings held by Community Board 10, DCP held three (3) public online presentations or information sessions between June 2023 and September 2023, all open for questions and comments . These were attended by several ZALUC members. ( I watched these recorded briefings more than once.)

The calendar of these meetings is available in this Committee report or at the District Office.

**CB 10 Meetings on CY Economic Opportunity (CYEO)**

Dec 11<sup>th</sup> CYEO with City Planning  
Nov 29<sup>th</sup> CYEO - CB10 Public Meeting at St. Anselm  
Nov 27<sup>th</sup> ZALUC Committee Working Group Meeting  
Nov 21<sup>st</sup> ZALUC Committee Working Group Meeting

Nov 20<sup>th</sup> Reported at General Board Meeting  
Nov 14<sup>th</sup> ZALUC Working Group  
Nov 6, 2023 ZALUC Working Group  
October 16<sup>th</sup> General Board Meeting Report  
October 11, 2023 ZALUC Working Group  
October 3, 2023 ZALUC Working Group  
September 26, 2023 Presentation City Planning City of Yes Economic Opportunity to ZALUC  
November 30, 2022 - City of Yes Economic Opportunity- City Planning Presentation to ZALUC (Doris Chair)

**Several ZALUC Members also attended DCP City of Yes Presentations**

September 12<sup>th</sup> DCP Public Briefing (Link to September 12<sup>th</sup> [public briefing](#) )  
July 11, 2023 - [DCP Public Info Session](#) on City of Yes Economic Opportunity  
June 13, 2023 - [DCP Public Info Session](#) CY Economic Opportunity

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The Zoning and Land Use Committee recognized that, despite the numerous DCP presentations, public information sessions and Community Board meetings, CD 10 residents and businesses were not well informed, or even aware, of the City of Yes proposals. In keeping with at least two stipulations outlined in the NY City Charter, the ZALU Committee decided that it was necessary to hold another public meeting to present, review, and identify concerns and potential impacts to Community District 10.

The City Charter stipulations are as follows:

**From CHAPTER 70 CITY GOVERNMENT IN THE COMMUNITY**

**d. Each community board shall:**

- (1) Consider the needs of the district which it serves;
- (17) Exercise the initial review of applications and proposals of public agencies and private entities for the use, development or improvement of land located in the community district, including the conduct of a public hearing and the preparation and submission to the city planning commission of a written recommendation;

On Wednesday November 29, 2023 at 7:00 PM in the auditorium of Bay Ridge Catholic Academy, the Zoning and Land Use Committee hosted a public meeting to present the City of Yes Economic Opportunity proposal--the second in a three-part city-wide proposal-- and to enumerate Community Board 10's concerns regarding the changes.

The meeting was well attended by more than 200 community residents, some elected officials and two representatives from the Department of City Planning.

Given the volume and density of the new text amendment, which increased from 664 pages in October to 1127 pages in November, and the very tight timeframe for review, the Committee chose to focus on the topics that have potentially significant and negative impacts to Community District 10.

In opening remarks, Chair Capetankis, District Manager Beckmann and the Committee Chair emphasized to the public that the City of Yes Economic Opportunity proposal is a **citywide zoning text amendment that has implications for the entire city** but the evening's presentation would be focused on the impacts to Community District 10. There are many proposals with which the Committee has neither objections nor concerns. However, the concerns that were articulated are the result of hours, days and weeks of collective analyses and lived experience by the Committee, the Community Board and the community.

The presentation also emphasized that Community Board 10 supports Economic Growth and Opportunity but not at the expense of Residents and Small-Businesses. The broad categories that were presented to the community are the same as those highlighted in previous reports to this General Board (CB 10) and the questions raised during the 11/29/2023 public meeting were the same as those raised at previous meetings with the Department of City Planning.

The categories presented were:

1. C1/C2 merger
2. New Automotive Repair and Tire Installation (auto sales permitted as of right in new proposal)
3. Bicycle Repair and Light Automotive Repair
4. Home Occupations
5. Nightlife
6. New as-of-right Uses in C1, C2, and C4
7. Wholesale Business
8. Light Manufacturing
9. Micro-distribution
10. Corner Stores
11. Transient Accommodations
12. Life Sciences
13. Amusements
14. Urban Agriculture

The November 29, 2023 meeting is also available on YouTube and I encourage the Board and the community to take some time to review some of the information and submit questions and concerns to the Department of City Planning. They set up an email for the City of Yes for comments: [economicopportunity@planning.nyc.gov](mailto:economicopportunity@planning.nyc.gov)

This presentation, the public comments, and comments from the DCP representatives gave rise to more questions and highlighted the need for additional clarification. Consequently, the Zoning and Land Use Committee scheduled its third (3rd) meeting with DCP (and 12th in a series of meetings as per initial comments) on Monday December 11th at 6:30PM at the Community Board 10 District Office and on a Zoom Webinar platform. Prior to the meeting, the Committee and Chair Beckmann submitted a list of questions to the DCP.

To continue the conversation about the new zoning text amendment and to answer the list of submitted questions, two representatives from the Department of City Planning, Carolyn Grossman Meagher (Mar), Director of Regional Planning and David Weisglass, leader for South Brooklyn Community Districts, were present in-person and Lucia Cappuccio, on Zoom. This presentation can be found online at [City of Yes for Economic Opportunities - DCP \(nyc.gov\)](#)

At the start of the DCP presentation, Carolyn Grossman Meagher acknowledged that the Zoning and Land Use Committee and Community Board 10 had **done its due diligence** in completing a great deal of complicated work to understand the new text amendment and in formulating its questions. The DCP reiterated its objectives which include: updating the 1961 zoning resolution; addressing some of the struggles that small businesses have had and; removing limits for business owners and empowering them to be successful “as long as they don’t drastically change the character of the neighborhood.”

The Committee agrees that updates are needed but it is concerned that the types of tools that are prescribed to achieve the end results are a one-size-fits all approach and ignore the realities of what happens on the ground in communities and the lived experiences of its residents.

Categories Addressed during the Presentation and Q&A:

**1A. One Size Fits All Approach: ZALUC**

- a. The Committee has many concerns about the citywide text which is a One size fits all approach allowing for greater zoning permissiveness and the loss of protections for many communities.

**1B. One Size Fits All Approach: DCP**

- a. In response to this concern, DCP stated that “That is the nature of zoning. When we affect something that changes those commercial zoning districts it has effects from Bay Ridge to Castle Hill. DCP uses citywide tools to create very specific neighborhood outcomes. They map those tools in the ways that are most responsive.

**2A. C1/C2 Districts: DCP**

- a. The C1 and C2 districts will be combined but the Overlay will remain. The Overlay is mapped on top of a Residence district--this does not change. The C1/C2 district is still a residence district. “Modest tweaks to what is allowed in the C1 district”. This clarification is in response to the Committee’s question about the language in the new zoning text that says “Commercial Overlays mapped over Residence Districts are first considered a Commercial District”
- b. DCP acknowledged that the DM Beckmann’s and the Committee’s question about NYC Administrative Code Section 19-170 was a “Good Catch”.

*Notwithstanding the foregoing, no person shall park a commercial vehicle on a residential street from 9 p.m. to 5 a.m. For the purpose of this subdivision, residential streets are defined as those streets, or parts thereof, which are located within a residential district under the zoning resolution.*

If the Overlays are to be considered first as a Commercial District then commercial parking potentially could be permitted overnight in these districts. To clarify, the Department of City Planning talked to the Department of Transportation about the interplay between the administrative code and zoning. Neither agency believes that the commercial zoning will be affected because the Residence district extends over the streets Bottom line, no overnight commercial parking will be permitted . However, DCP and DOT are continuing to confirm this.

## **2B. C1/C2 Districts: ZALUC concerns**

- a. DCP has remarked that C1 and C2 districts will be combined to remove onerous rules that prevent such things as bicycle repair shops on the same side of the street as bicycle sales shops. However, the Committee's concern is that higher use groups, which have greater nuisances like those permitted in a C8, will be permitted in the lower C1/C2 districts under the new zoning regulations. This has consequences not only for residents but for businesses as well.
- b. Of the 18 Brooklyn Community Boards, CB 10 has the largest area dedicated to C1 districts with approximately 160 blocks. Based on research completed by CB 10's college aide, Ashley Ngo.

## **3A. Use Definitions: DCP**

- a. **"Without changing the actual rules of where things can go, we're reorganizing all of the use groups to be much cleaner and more modern"**

## **3B. Use Definitions: ZALUC**

- a. The Committee is concerned that this DCP statement is **not entirely accurate**. The "actual rules" may be the same with regard to which uses are permitted in which districts. However, DCP has reorganized the uses into different use groups, consequently permitting uses in districts where they were formerly prohibited. For example, uses have been moved out of higher categories and into lower categories. C1 districts currently can only have use groups 1 to 6 while C2 districts can have use groups 1 to 9 and 14. Under the new proposal, the uses in Use Group 14 have been moved to use group 4 or 6, both allowed in C1 districts. Some uses in Use group 16 and 18 have been moved to Use Group 4 or 6, also permitted in C1 districts.

## **4A. Upper Floor Commercial: DCP (Not to be confused with Home Occupations)**

- a. In a three-story building, the second-story may be converted into a business but it would be illegal to convert the rest of the building into commercial space.
- b. There would be no prohibition on uses for a second story business. Whatever uses are permitted in a C1/C2 ground floor business, will be permitted in a

second-story business. The only prohibition is around how you physically relate to the residential space which is what DCP sees as the primary land use concern. It is about the interface between the commercial use and where it meets the residences (eg.the ceiling of the commercial use and the floor of the residence).

- c. DCP did an environmental review of all the new classes of uses and identified Use Group 10 and Use Group 6 as noisy-small scale manufacturing uses and places of assembly like bars. The new rules state that you must separate the “noisy” business from the residence by 15 feet of space (above or to the left and right) or; you need to have non-noisy uses or; acoustically engineer the space.
- d. DOB would be the agency to enforce the “noise” or decibel standards.DOB would also have oversight where the retrofits are concerned--to convert residential to commercial space--and business owners would have to submit the appropriate filings.
- e. Aside from cost, DCP thinks it is unlikely that commercial storefronts would be converted into second story businesses because there would not be enough space to do so. (In R5 districts and below with a commercial overlay, the FAR remains the same and is limited to 1.0, which is very small for commercial space.)
- f. DCP has asked the Community Board, in the limited time it was given, to identify a particular concern with a particular use and its location on a second story. They emphasized that, in general, it is the job of the Community Board to provide specific comments about the specific ways in which the neighborhood will be affected and provide specific recommendations for specific text changes.

#### **4B. Upper Floor Commercial: ZALUC (Not to be confused with Home Occupations)**

- a. Although DCP identifies many circumstances as unlikely and untenable, they will be permitted under the new regulations and will not be Prohibited.
- b. The Committee is concerned that certain uses do not belong on a second-story and about the inability to control the mixing of uses and residences. It would be possible, for example, for a butcher shop to be located on the second floor of a building next to a residence with a bar below.
- c. Allowing additional uses on the upper level may be harmful to the sidewalk level stores and may prevent filling those ground floor commercial spaces.
- d. There are significant enforcement issues with the Department of Buildings
- e. It is unclear if dispensaries are permitted on an upper floor, even with a state license.



## **5A. Life Sciences: DCP**

- a. Research labs will be permitted as of right in C1 districts which are in a residence district. At this time they are permitted in all other C districts.
- b. Research labs will also be permitted in Residence districts with a special permit. This permit is for labs that want to relocate from a hospital campus to a nearby location within a residence district. The permit allows an entity to declare itself as a community facility rather than a commercial lab. Building as a community facility allows different bulk rules. This is a citywide special permit action.
- c. DCP will change the 'lab' definition so that it is consistent with DOB's existing interpretation. A memo was issued on December 13, 2016 that stated labs of all types are allowed in Commercial districts except C1, C3 and C7. The definition is expanded beyond medical or dental laboratories for research and testing or custom manufacture of teeth..." to include "the synthesis and manipulation of chemical substances, biological matter, and animal models" and "A lab with no objectionable effects" Under the new zoning proposal all labs would be permitted in the C1/C2 districts.
- d. DCP comments that labs are usually built in higher density areas. Life Sciences labs are usually not built in mixed use buildings because of the requirements for extreme venting standards; extreme containment standards; and high power standards. Regardless of how unlikely it is, labs would be permitted in lower density and lower C districts.

## **5B. Life Sciences: ZALUC**

- a. Highlighting the dangers associated with these labs, there is an additional memo from June 16, 2016 from the Department of Health and Mental Hygiene In response to laboratory accidents and incidents (not in NYC) and concerns about potential accidents at high-containment research laboratories and catastrophic consequences in high-density areas, the Board of Health amended its Health Code (Article 13) to require registration of and reporting by all high-containment research laboratories in NYC.
- b. The Committee requested that research labs be prohibited in mixed use buildings as well as on a second story adjacent to residences. DCP asked why this request was being made and responded by explaining that this is the most highly

regulated type of business that exists. There are medical controls, hazardous material controls, combustion controls; fire department regulations; oversight by the DOH, DEP, EPA, NIH and; the CDC licenses all labs that work with biological material. DCP has been talking with sister agencies including DOH which has not advised any prohibition on uses adjacent to residences given the controls that are in place in the city and given the presence of existing labs

## **6. Urban Agriculture: DCP**

- c. Agriculture, as part of Use Group 1, is an allowed use today in Residence districts but what is not clear is whether or not you can grow indoors. This proposal would permit indoor agriculture in all C districts which means you can grow anything indoors, including cannabis if licensed by the state. This is different from a dispensary and would require a different state license. A growing license is not equivalent to a consumption license.
- d. Agriculture does not include animals, which may be Industrial.
- e. It is not clear if indoor Agriculture would be legal as a home occupation.

## **7A. New Corner Stores and CPC Authorizations: DCP**

- f. New Corner Stores will be permitted with a CPC authorization in residential districts even without a commercial overlay. A business owner would have to go through an environmental review, appear before the Community Board and then go back to the City Planning Commission which must determine that the community wants the corner store and that there will not be excessive nuisances or damage to the traffic circulation or neighborhood character. This is highly discretionary.
- g. This proposal would address some situations without having to do a commercial rezoning and avoid mapping a commercial district in the middle of a residence district. DCP believes that this zoning tool strikes the right levels of protection and discretion. How they shape that tool is open for discussion. DCP stated that the CPC authorization is a preferred zoning tool because it has a very high bar and high barriers to entry. This can cost up to \$100,000 to execute. DCP believes that the costs should remain high in this case.
- h. DCP stands by the argument that if, as a consequence of this zoning change, "one corner store opens ever in a community, it's done it;s job."
- i. The Community Board can make a recommendation as to how DCP can shape this zoning tool.

## **7B. Corner Stores and CPC Authorizations: ZALUC**

- a. The Committee has asked why this proposal doesn't require a full ULURP? The Community Board is concerned that this zoning tool has been created to address only a handful of situations which arose in the last 10 years (as per a statement by DCP) and does not provide the protections the community needs. Committee pressed for a full ULURP.
- b. Committee members expressed concern that the high bar, to which DCP referred, is a monetary bar. This would make corner stores cost-prohibitive and the process, not effective at all.
- c. Committee members were also concerned that DCP is drafting a zoning resolution that is aimed at only a handful of situations and is not intended to be utilized to its full extent.
- d. A committee member raised the concern that hedge funds, or larger entities with money and no established interest in neighborhoods, could enter and obtain the commercial uses of corner properties
- e. Suggestions from committee members and community members include:
  - i. A requirement that this type of use be primarily driven by a request from the community;
  - ii. a requirement for a Variance instead of rezoning part of a residence district without a ULURP.
- f. DCP responded by saying that applicants cannot be limited to Community Board alone (assuming that communities would direct their requests through Community Boards) and a variance requires proof of financial hardship.

## **8A. Home Occupations: DCP**

- a. Based on current zoning regulations, a Home Occupation:
  - iii. Must be a primary residence.
  - iv. must dedicate 75% of its space to residence.
  - v. Does not permit signage
  - vi. Cannot sell anything that has not been made/produced on site;
  - vii. Cannot create any undue noise or objectionable effects
- b. The Proposal lifts the prohibitions on 11 occupations so that they will be permitted under the new zoning regulations.
- c. The occupations are as follows:

1. advertising or public relations agencies
2. barber shops
3. Beauty parlors
4. Commercial stables or kennels
5. Electrolysis , depilatory or similar offices
6. Interior decorators' offices or workshops
7. Ophthalmic dispensing
8. Pharmacy
9. Real estate or insurance offices
10. Stockbrokers' offices
11. Veterinary medicine

- d. The new zoning regulations will require that the Home Occupation is still first and foremost a home but will allow 49% of the home to be dedicated to a business and the number of employees can increase from one to three.
- e. DCP stated that many businesses that have a customer base are allowed today including music teacher and psychologist and that a music teacher would be permitted 30 students in the home. According to DCP, Home Occupations are not regulated for foot traffic.
- f. There were many questions about a Pharmacist because of the stipulation that all products sold from a Home must be produced in the Home. DCP commented that it is unlikely for a pharmacist to be a home occupation given this condition. A pharmacy cannot operate out of a home because, to the extent that it is selling products not made on site, it would be regulated. DCP wanted to know the Committee's specific objections to having a pharmacist operating out of a home. They explained that this occupation had been removed from the list of prohibited occupations because it was seen as extremely anachronistic and unexplainable.
- g. DCP also asked why the Committee had particular concerns about allowing barber shops and commercial stables and kennels as Home Occupations
- h. The guidance from DCP is that Community Board 10 should convey why the city should treat this list of specific businesses differently and subject them to different standards.

## **8B. Home Occupations: ZALUC**

- a. The Committee is concerned that DCP was unable to explain why these occupations were prohibited in 1961. However, based on research conducted by Amanda Smith (Community Associate), the exclusions as written in the law, especially considering what would have been feasible 60, 70 years ago, is a fairly inclusive list of commercial businesses. This may have been an attempt to distinguish between purely commercial businesses and professional ones and to prevent full-fledged commercial businesses from being run out of private homes. DCP does not distinguish between commercial and professional occupations.
- b. DCP claimed that it is unable to write in a maximum client base under the new home occupation rules because the current rules do not include that limitation. However, under the current law, of the three categories that are explicitly mentioned as allowable as a home occupation, one of them does have a maximum. The text explicitly states a music teacher is only allowed one pupil at a time." (Amanda Smith, Community Associate)
- c. The Committee's concerns with barber shops, pharmacists, stables and kennels include: increased foot traffic due to deliveries, increased foot traffic due to family members and employees; the lack of maximum capacity limitations for customers; security issues; the erosion of the residential nature of a residential building and; the de facto creation of a loft use or live-work situations, and the constant, underlying assumption that many of the newly drafted rules will never be used to their fullest extent.

## **9A. Enforcement : DCP**

- a. DCP says that Zoning is not the best at enforcing things and it does not enforce what is in the home.
- b. Zoning is only a small part of regulations and is focused on identifying what it can do and where it gets in the way. There are better rules for regulating some of the nuisances and some of the undesirables than the zoning resolution. Bad actors will be caught by other licensing authorities that are better at regulating these issues.
- c. Regarding Home Occupations, a landlord will have a right to deny a tenant based on a home occupation and a Lease can restrict home occupations.
- d. Community Board needs to comment on this while considering studio spaces and very large spaces. Intent was to accommodate those people who live in small spaces.

- e. Regarding Home Occupations, DCP asks the Community Board to remember that the real problem that communities face is Nuisances not the number of people. They are open to hearing about the rules and whether or not the language is strong enough. For example, "In a large house, 45% is too large."
- f. DCP does not regulate what goes on inside someone's home. DCP says no one has to file with the DOB now . Home Occupations are regulated when they become a nuisance . It is part of the DOB mandate
- g. DCP talks to DOB everyday.

## **9B Enforcement : ZALUC**

- a. Regarding enforcement, the Committee has concerns about the Department of Buildings. DOB has been inconsistent about filings. Will this become more consistent? Is there going to be a requirement for a DOB filing in conjunction with the new expanded home occupations? How will the city know where home occupations are located and how will they be regulated?
- b. Once DCP is out of the process and the proposals pass City Council, enforcement will be challenging. If DOB inspectors are called to a home, they will not know what they are looking at in terms of amount of space, number of employees or who the residents are. How can enforcement be done?
- c. It is a concern that home occupations do not have to file with DOB
- d. This opens the door for a live-work use in every apartment. Even though you can do that now, 25% is much more limited and easier to enforce.
- e. A noise complaint will not go to DOB. It will go to the police department or DEP. If DEP cannot gain access they have to submit an LS request and this takes time. This has the potential to affect quality of life for many residents.

## **10 E-Bike Repair : DCP**

- a. DCP confirmed that e-bikes will be included in the bike repair category and this use will be permitted in the new C1/C2 district.
- b. Battery exchange will also be permitted

**// A, New/Light Automotive Repair : DCP**

- a. All new auto repair uses in the future go to the BSA for a special permit. Not as-of-right in the C1. This includes tire shops. The intent is to have these businesses conduct their business inside the building.
- b. Automobile dealers will be allowed in a C1

**// B, New/Light Automotive Repair : ZALUC**

- a. The Committee is concerned with the Board of Standards and Appeals. The BSA overrides the majority of Community Board recommendations.
- b. Automobile dealers in a C1 district raise concerns about sidewalk safety, quality of life, parking,

An additional list of questions will be submitted to the Department of City Planning this week. A roundtable with business owners will be scheduled in the New Year and the Zoning and Land Use Committee will convene again in January to draft its recommendations before the City Planning Commission vote in February 2024.

Respectfully submitted,  
Stephanie Simone-Mahaney



### Introduction

The Environmental Committee met at 7:00 pm on Tuesday, November 28, 2023, in a hybrid Zoom and in-person meeting. We met in quorum.

We met to:

- Attend a DSNY presentation regarding the recently updated compost collection program.

DSNY Community Affairs liaison MARRISA YENNI presented a PowerPoint presentation on the current status of Curbside Composting in Brooklyn.

- All residential buildings, including single-family homes, small apartment buildings, and multi-unit residential buildings, can participate.
- Compost collection is on the same days as recycling every week, and bins can be placed at the curb after 6 pm the night before your collection day. If yard waste is in bags, set out after 8 pm. All waste must be set out by midnight to ensure collection.
- Leaf and yard waste are mandatory. You can receive a summons for yard waste.
- Although food waste is technically mandatory, enforcement is not happening because only some boroughs are required.
- What to compost:
  - Leaf and yard waste - plants, leaves, twigs, grass
    - These can be placed in any labeled bin (55 gallons or less) with a secure lid, in your DSNY brown bin, in paper lawn and leaf bags, or in clear plastic bags
    - Twigs and branches (no larger than 2ft x 4ft) can be bundled and placed on the curb next to bins or bags
  - Food scraps - fruits, vegetables, meat, bones, dairy, prepared food
  - Food-soiled paper - napkins, towels, tea bags, plates, coffee filters, pizza boxes
    - These can be placed in any labeled bin (55 gallons or less) with a secure lid or in your DSNY brown bin
    - Line your bin with any bag to keep it clean
    - Tie the bag closed before putting the bin on the curb for collection
    - Do not place bags of food waste directly on the curb
    - You can mix food waste with leaf and yard waste only when using a bin with a secure lid
- What not to compost:
  - Recycling - metal, glass, plastic, cartons, clean paper and cardboard
  - Trash - wrappers, pet waste, medical waste, diapers, foam, hygiene products
  - No commercial landscaper waste is allowed
- Bin decals are available at the Community Board District office and can be used on any lidded bin if you do not have a DSNY brown bin. A final reminder is that DSNY will take it all - your compost, recycling, trash, etc., as long as it is separated.

The meeting adjourned at 7:32 pm.

Respectfully Submitted:



Tracie Britton  
Committee Chair | Environmental Committee



**Youth Services, Education, and Libraries Committee Report  
December 18, 2023**

The Youth Services, Education and Libraries Committee met on Tuesday, November 28th at 2 PM at the District Office. Attendance was held in person and remotely by zoom. The meeting was also live streamed to YouTube.

The Committee met in quorum. The meeting agenda included update on the multiple Capital and Capacity School Projects within CB10.

On behalf of the committee, District Manager Beckmann submitted a letter to the SCA with specific questions the committee hoped to have answered by the end of the meeting.

Representing the SCA remotely were Steve Gonzalez, Yvette Knight and Isabelle Bender. The meeting was turned over to Mr. Gonzalez, who shared his screen, and projected CB 10's letter.

His presentation began with an update on School Construction Projects in CB 10:

1. **PS 53, located at 6740 3rd Ave. The school's targeted opening date is September, 2024, and it will service 307 students.**

We had asked why the entrance to the school had been moved from 3rd Avenue to Senator Street, and why the SCA requested a Mayoral Zoning Waiver.

Mr. Gonzalez stated that the school entrance was moved after a site analysis indicated that park frontage, and a fork in the road, both located across the street from the school, would help with traffic flow and ease congestion during peak drop off and dismissal times. The Mayoral Waiver was required as existing zoning laws would not accommodate the larger bulkhead/building structure on Senator Street.

**2. Ovington Ave High Schol Site – 437 Ovington Avenue 676 Seat**

CB 10 had voted against the proposed site plan in May, of 2023, due to safety and quality of life issues raised including, increased traffic volume, congestion and double parking, increased difficulty traversing already crowded local streets, increased mass transit usage, decreased parking, and overall vehicular and pedestrian safety.

CB 10 asked that the SCA to review the city approval and acquisition process. Mr. Gonzalez stated that public presentations to CECs and CBs " typically occur at the same time we kick off our SEQRA analysis, and that the SEQRA analysis must be completed before the SCA can acquire the site.

The SEQRA analysis was not yet completed at the time of this meeting, but the SCA expects to complete this analysis by the end of 2023. Andrea Bender reported that the SCA is scheduled to appear before the Landmarks Committee for acquisition on December 5th,2023. The SCA expects to submit this site proposal to the Mayor and the City Council by the end of the year, at which time they will notify CB 10 of their intention.

Although the SCA lacks the agency to close on a site without formally submitting the proposal to the City Council, neither the City Council or the Mayor are required to act in the absence of their opposition to the proposed site. However, Mr. Gonzalez did qualify that it is rare for a vote not to be taken when a school is involved.

Members of the Committee and residents in attendance passionately argued against the specific site again raising the myriad quality of life and safety concerns. Ms. Bender countered that an Environmental Impact Study done by the SCA showed no environmental impact on the community. She further stated that the SCA felt "compelled" to acquire this site because "it is the largest land parcel to have come up in the district in three decades" and it would help address the serious overcrowding issues in our district high schools".

**3. Santander site 8805 5th Avenue, Block 6065, lots 28 and 29 between 88th and 89th Street**

The site proposal, first presented in 2021, called for a K-5 primary school, housing 572 students. It is currently fenced off, but remains undeveloped and unused. Mr. Gonzalez stated that the SCA continues to work with the DOE to determine the best use of this site, but that as of the meeting there was no accepted proposal, design plan or construction timeline in place for the site.

In discussion, District Manager Beckmann asked if the site designation for a primary school could be changed to allow for middle or upper school, or office building, Ms. Bender indicated that the existing proposal was indeed off the table, but that she did anticipate that it would remain a designated school site. The SCA was reminded that this site had been suggested by the board and the community as a possible site alternative to the Ovington Ave HS. That suggestion had been rejected, and the SCA maintains that the site is too small to house a HS, and that the students would be seriously underserved by both it's lack of space, and the impact of that space limitation on the extracurricular activities needed at the HS level. Specifically mentioned by the SCA was it's lack of a competition sized gymnasium. Several people countered with possible solutions, suggesting that the school could be built up, rather than out, and that it's students could utilize the gymnasium on the campus of FHHS. Mr. Gonzalez stated that the SCA continues to work with the DOE to determine the best use of the site. However, at this time, there is no design plan or construction timeline for the site.

**4. 6301 12th Ave. The former location of The Angel Guardian Home, this is a 24,000 square foot lot, and the plans presented by the SCA at the site selection meeting called for a 600 seat k-5 school.**

CB 10 had requested a construction timeline with a projected completion date and updated information approximating the target enrollment, design and the location of the main school entrance.

The SCA responded that the school PS 676 at 6317 13th Ave is currently under construction, with an anticipated opening date of September, 2024. It is a PK-5 school with 547 seats, including 96 designated District 75 seats. The SCA deferred from answering further questions on enrollment, and referred us to the DOE. They stated that after discussion with the Construction Management Agency, the main entrance has been relocated, from 12th Ave to 13th Ave to ease traffic flow and congestion. As per Mr. Gonzalez, 13th Ave is a two-way street,

and will make pick ups and drop offs by car and bus easier and safer for parents, students and staff and the surrounding community.

**5. Nathan's site 650 86<sup>th</sup> Street is expected to open in September, 2024**

The student enrollment will be 475 students. 72 seats have been allocated to District 75 Students. Mr. Gonzales also shared that Steve Lombardo had been appointed principal of the new middle school, and will be hard at work, and preparing for opening day, as of January, 2024. Mr. Lombardo is currently an AP at IS 201, which is also located in CB10.

Mr. Gonzales moved to the Capital Projects in CB 10 including PS 104 Boiler Conversion, Construction to be completed by Spring of 2026, Telecommunications Exterior Masonry Project not yet awarded, a roof boiler conversion PS 17 and next summer substantial completion of exterior work taking place at PS 185.

Reso A Projects funded by Council Members and BP office – in Construction July 1, 2019 Playground upgrade 264 and PS 170 Auditorium Upgrade – completed 2 years ago - PS 176 Lab – as well as an Auditorium Upgrade at P.S. 264 which is in design, IS 259 Science Lab upgrade also planned.

PS 69 Playground Upgrade next Summer, P.S. 185 Supplemental Cooling Project (completed) IS 201 Music Room to be completed end of Year. This concluded Steve Gonzalez Report.

Respectfully submitted,

  
Barbara Buchalter-Pollack

## STATE LIQUOR AUTHORITY-NEW APPLICATIONS AND RENEWALS

<b>Name/Address</b>	<b>Received at CB10</b>	<b>Status</b>
Captiva Enterprises Inc. d/b/a Cappuccino Cafe 7721 3rd Avenue	Renewal 12/01/2023	liquor, wine, beer, cider
Marestclau Inc. d/b/a Piccante 7214 3rd Avenue	Renewal 12/04/2023	beer, cider
Encore 4 <sup>th</sup> Avenue Inc. 10005-09 4th Avenue	12/14/2023	Renewal liquor, wine, beer, cider
Yayami Sushi Inc.* 6914 3 <sup>rd</sup> Avenue	12/15/2023	New liquor, wine, beer, cider
Joseph Salimeni or Entity to be Formed* 8424 3 <sup>rd</sup> Avenue	12/18/2023	New liquor, wine, beer, cider
Top News & Grocery 6422 14th Avenue	12/27/2023	Renewal beer, cider
Brooklyn Bagels & More Corp d/b/a Las Margaritas Express 7302 3rd Avenue	01/02/2024	Renewal liquor, wine, beer, cider

\*Has been invited to present their application at the December 13<sup>th</sup> Police and Public Safety Committee meeting