

**Community Board 17
Land Use Committee
Meeting Minutes
December 1st, 2022**

Attendance:

Hazel Martinez	J. Charlot
C. Johnson	Tanya Dupree
Sue Pendergast	Adele Bennett
Geo1726	Teres
Kwame Afreh	Jay Sordid
Lilieth Heron Robinson	JL James
Darryl Hollon	Ozni Lewis
Tamara Thomas	Mary Bell-Downes
Dawes	Faublas
Kandace Garner	Bobbie Mack
Pearlene Fields	Gary Dwyer
Brie D	Timothy Davis
Allyson Martinez	Teres R
Monica	Dr. Dawes
Alexis	
Sharon Dwyer	

Presenter(s): Melissa Chapman
Eli Gewirtz
Howard Weise

The meeting of the Land Use Committee was called to order by the Chair, Mr. Kwame Afreh.

Chairperson's Report

- Was contacted by the Chairperson of the Board regarding construction at 153 Erasmus Street, apparently, there were material in the street, they did not have the proper barricades and flag men. There was traffic diversions that caused congestion in the area.
- Residents should not be afraid to call in complaints to 311 and the community board.

- Regarding the Homeless shelter expansion, was unable to reach the Chair of CB9 ULURP and got in touch with the District Manager. In the process of coordinating a meeting for next Tuesday. Ms. James will be in attendance, Mr. Daley and the Chair of CB9.
- The Department of Design and Construction will not present at the Land Use meeting at this time. At the Executive meeting, it was discussed due to the impact of the Center on the Community, it was decided the presentation should be done at the full Board on December 21st, 2022. Therefore, the letter that was drafted with assistance from Ms. Allyson Martinez will not be distributed. The Committee will wait and decide after the December presentation.
- Everyone should attend to get more information on the amenities for the Center.
- There will be a public hearing for the contractor seeking an extension to complete a construction project at 1106-1108 Utica to convert a three-story family building. Will try to attend the hearing and update the members.
- **Question** – Will arrangements be made for residents to speak at the General Board meeting.
Answer: Will speak to the Chair. It is important for the residents to have an opportunity to ask questions regarding the Center.

Presentation -5381 Kings Highway Self-Storage Facility Special Permit

Ms. Melissa Chapman, Government Relations and Community Relations Specialist at Davidoff Hutcher & Citron LLP, introduced the presenter Mr. Eli Gewirtz from Davidoff Hutcher & Citron LLP. The application is being presented pre-certification so meaning, it has not been certified as complete by the Department of City Planning. The presentation is being made prior to notify the community about the project and start the public review process so residents have an opportunity to ask questions and the company can address those questions before the project is certified around February 2023.

- The application is to construct a Self-storage facility at 5381` Kings Highway in CB17 East Flatbush neighborhood. The applicant is Clarendon Holding Co. Inc, Applicant representative: Davidoff Dutcher & Citron LLP
- Action Requested: Zoning Special permit pursuant to ZR74-932 to permit the development of a Use Group 160 self-storage facility within a Manufacturing District located in Subarea 2 as shown on the maps in Appendix J of the ZR.
- Project located on Kings Highway between Whitty Lane and the LIRR Bay Ridge Division Right of Way, in CB17

Drawings/Maps and photographs of the proposed self-storage was shown to those in attendance. View of the site facing east from Kings Highway, View of the Kings Highway facing north from Foster Avenue, view of the site facing southeast from Kings Highway, view of the Kings Highway facing south from Foster Avenue, view of the west side of Kings Highway facing northwest from the site, view of the west side of Kings Highway facing southwest from the site, view of the sidewalk along the west side of East 56th Street facing north from the Site, View of East 56th street facing south(site ahead of right) View of the Site facing southwest from East 56th Street and view of the site facing southwest from East 56th Street with back of adjacent homes along Whitty Lane to the immediate north.

Proposed Plan

There will be 30ft of frontage along Kings Highway and approximately 19ft of frontage along East 56 Street, the bulk of the lot is an interior lot, and the lot area 73,975 square feet.

The building will be 5 stories with elevator access to each storage units, sixty feet tall at the roof and a decorative clock tower along the northwest elevation would bring the clock tower rise to 85ft. There will be a gate and a self-storage sign above the gate from the Kings Highway entrance. There was also a view from the back of the lot from East 56street, the Whitty Lane homes are off the North. The renderings did not show, however, there will not be any access to the site from the East 56 Street.

All access will be limited to the Kings Highway entrance, a 30ft wide driveway entering from Kings Highway, also a driveway with a 5-foot pedestrian path with striping dedicated for pedestrians. Where the building starts is beyond 200 ft from king's highway. The access will be approximately 60ft from the homes on Whitty Lane with a 34ft wide access driveway between the facility and the property line. Beyond that all the buildings on Whitty Lane have approximately 25-30 foot rear yards. The actual distance between the end of each home and the start of the building would be approximately 60ft. . improved stone pavers and lighting will be provided and dense shrubbery. Additionally, an 8ft fence will be constructed along the northern property line providing shield between the site and the homes along Whitty lane. The fencing will be soundproof.

An employee will always be at the facility, there will be a reception area., open from 6:00 am. to 10:00 pm. Expected to serve a population within Will **serve with** a maximum of 11 to 12 cars on a given day to persons accessing their storage unit.

Letters were sent out to homeowners on Witty Lane and homeowners on Kings Highway to give them a direct and personal introduction to the project and inviting them individually over the next several months to address any of their concerns.

Facts about the Proposals

It will consist of 73,715 zoning square feet. Gross square feet is 88,458, that includes the seller space which will consist of storage units. The building will be 5 stories 63 ft tall with a proposed 12 parking spaces and 6 loading births. The facility will contain 800-850 Storage units.

The company is complying with the zoning, the are beyond any of the height limits imposed by the M1 District. It will be way below which is 62ft tall. The Western elevation will contain the clock tower the clock tower portion would rise to 85ft, the roof of the building would be at 62feet.

Comment - Ms. Hazel Martinez – there are more than 2 storage units in the community and don't see the rational for having another one. Years ago, that space was a tennis court as the community changed, it became a school bus yard where residents have to breathe in the fumes from school buses, it then became an Amazon yard where tractor trailers are all over the community and now a storage unit that will encourage rodents and there are concerns for the homes directly near to the proposed facility which may damage their building foundation as was other foundation where similar buildings were constructed, Farragut Road, New York Avenue. Developers are not community minded, and the proposed facility is of no benefit to the community.

Mr. Weise said Ms. Martinez comments are well taken, he said the property is known for manufacturing and the expensive uses that could otherwise be permitted in an M1 district could be extremely impactful. A self-

storage facility like the one proposed is probably one of the most benign uses that could be developed in the M1 District. The company has been working closely with storage asset management which operates 545 different facilities across the country and as well, experience and they were very clear that on the average, there will be no more than 11 passenger vehicles or mini- van or SUV at the location. Compared to what could have been at the site, this project is most compatible.

Ms. Martinez said there is no guarantee there will be 11 vehicles at the proposed site per day.

Comment: Ms. Pendergast Same concerns as Ms. Martinez. 850 units will not allow for only 11 cars per day. There will be bottleneck which is happening presently with the warehouse facility. Additionally, there is a U-Haul facility that has been in the area for there and the homeowners have to constantly clean up the garbage dumped illegally on East 56Street and Witty Lane. During the past 10years, it has gotten worse. There are also storage facilities within the 2mile radius. The facility will create a problem for the community, and residents have to wake up looking a steal metal building blocking their view.

The project also entails digging, there is a project across the trestle when metal is crushed, it shakes the homes, there is a problem with illegal dumping in the area. Where does it go from this point?

Mr. Afreh said the project is an “As of Right” build, means that its currently zoned and its permissible for the facility to be built without any input from the community.

Mr. Gewirtz said as general principle self-storage facilities are permitted as of right, however there are certain districts where a special permit is needed from the City Planning Commission and the site is in one of those sub areas, where a special permit is needed that’s why the presentation is being made. The presentation is formal however, within several months, there’s going to be an actual application that going to come before the community board and ultimately will have to be approved by the City Planning Commission for the facility to be built. He said the project isn’t really fully an “As of Right” project.

Comment - Tanya Dupree – resident for over 45yrs, experiencing some of the issues previously mentioned with Mitsubishi and Amazon vehicles, schools and bagel shops in the area and dealing with flooding issues over 30years.

Eli Gewirtz said the letters were mailed out to the homeowners and they are invited to make contact and discuss their concerns.

Alexis – Agreed with her neighbors observation and have some concerns regarding the shaking houses (affecting the foundation of homes) when other companies are working in the area. Will the company be willing to fix damages?

Eli Gewirtz: With respect to the flooding, once this facility is improved, it no longer a vacant lot, and its going to have its own drainage. To the extent flooding is experienced in the Lane, it will not be from emanating from the facility. The company will work with the community board to minimize the impacts that normally experienced during construction.

C. Johnson – The presenters are developers their job is to get the deal done and they will make promises. However, 800-850 units is impossible to have only 11 people there at any given moment and how could all the traffic use Kings Highway? Secondly, DHL operates from 4:00 a.m. the trucks are backing up and double parking, there are customers who double park, and body shops parking cars on the other side.

Eli Gewirtz: This is an investor property that needs to be economically used and developed, and its not going to be something else. The alternative will be something more significant in terms of impacts. The property cannot be rezoned for housing, so the only thing permitted there is a manufacturing type use. The choice will be a self-storage facility or something else that could be developed in a manufacturing district.

Adele Bennett: In regards distance between the line and the yard, that will be the homeowner's property in the back, you cannot factor in someone property into your plan. Are you aware of the property underneath and the stream that was originally running underneath those grounds?

Eli Gewirtz: In order to get a permit to build, the company will be working with the various departments and city agencies, the Department of Environmental Protection to get any permits to build, also the Department of Transportation and the Department of Buildings and that will address an storm water runoff issues flooding issues concerns regarding excavation, etc. The company is seeking to get the zoning authorization then go forward with the building department. This is only the beginning of the process.

Comment - Allyson Martinez: This is why it's better to start with community. The letters and outreach should have been done started beforehand and the company would have gotten the community history, that sometimes cannot be found by looking in a system. If the exiting owner has worked with and thought about engaging the other business owners in the area, that does nothing to help fix the problems with dumping under pass. That is how community trust is build, the residents would see an actual interest and involvement in not just extracting money from the business but looking to see what can be done to resolve issues in the community.

Did the company consulted with DOT, the automobile lot, the fruit stand is already impacted by the business exists and adding another makes no sense especially when the government is thinking of putting back the rails line and commuter transit. There needs to be an environmental impact study and that's not included in the plan. Are there plans to add any type of environmental uses on the rooftop or anything to help the area at all with air quality?

Additionally, have you investigated the fact that a brownfield study may be needed because of the prior historical uses in that area, that was done with target because of the plastic factory that used to be there.

Would like to also see actual investment in the community issues and not only what can be taken from the community.

Mr. Gewirtz said Subsurface environmental conditions have already been a face, with respect to the side part of the city environmental quality review, this is another brownfield site. It's not a site that's requires any significant remediation. The other concerns are part of an operations issue that relates to other things going on in the community, their points are well taken. Most of the issues are things that were considered as going forward. The company is willing to work with the Community Board and the community going forward.

There were questions regarding the purchasing of additional property in the area, the storage facility already on Ralph Avenue, the proximity of the proposed facility to the homes, and the impact the proposed facility will have on homeowners in the area. The Dwyer family lived in the area for over 30 years and described like others how the proposed facility will impact them.

Residents were also encouraged by other residents to hire a construction attorney, and also write their elected officials.

A request was also made for copies of the studies completed, a copy of the National standards, specifically the New York Standards for such facility.

Ms. JL James said she heard the conversation about economic development and the word benign being used. She said there is nothing benign about a storage unit. Brooklyn existed for many years without it and it emerged after this placements of residents and what it causes is an economic loss, its not measured by real economic loss, the persons who are displaced and have an emotional tie to their belongings stored there and end up paying so much more than the value of that.

Ms. James said it is insulting to try to convince the residents that it's a benign industry, its not.

Mr. Gewirtz was asked to reconsider the proposed facility

Meeting Minutes

Mr. Afreh asked for a motion to approve the minutes of the November 3rd meeting. Mr. Ozni Lewis made a motion to approve the minutes and Ms. Adel Bennett second.

New Business

Ms. Hazel Martinez asked about notifying residents when issues such as the project discussed comes before the Board.

Mr. Afreh said that was discussed during New Business last month. He said he will bring up such issues under future new business to get the word out.

Ms. Fraser reminded those present that Mr. Darryl Hollon will be presenting on the same issue at the January meeting and will be addressing it from a different perspective. She reminded residents to sign up with the Board's office to receive email notification for future meetings.

Mr. Darryl Hollon said he took notes from the information provided during the presentation and will take the time at the January meeting to address the issue from a different aspect what it means to the community as a whole as providing a socio-economic package. He said the storage facility is like a box, it sits there and nothing happens, it doesn't provide manufacturing jobs which is a career path that leads to an upper middle income. He also states when building a facility, workers are hired from the community. There will be much more information at next month's meeting.

Unfinished Business

Ms. Pendergast thanked Ms. Hazel Martinez for the information she shared with the residents and the distribution of flyers to the residents in the Witty Lane area. .

Question was asked about E98th Street

Mr. Afreh said he will make contact Lucia to find out if there is any activity at the location. He said there has been some shifting with the after-hour variance.

Adjournment

Ms. Afreh thanked everyone for attending the meeting, hearing no further questions or discussion, he asked for a motion to adjourn the meeting. Mr. Ozni Lewis made a motion to adjourn the meeting and Ms. Mary Bell -Downes second.