

**BROOKLYN COMMUNITY BOARD 6
LANDMARKS/LAND USE COMMITTEE MEETING
March 29, 2018**

Attendance:

J. Armer	P	V. Hagman	P	C. Pigott	A
P. Basile	A	G. Kelly	E	M. Racioppo	P
P. Blake	E	A. Krasnow	P	A. Reeves	P
D. Briggs	P	Y. Lee	A	D. Scotto	E
P. Fleming	P	R. Levine	P	M. Shames	P
R. Freeman	P	T. Miskel	E	R. Sloane	A
B. Fuller-Goggins	P	M. Murphy	P	J. Thompson	P

P = present, E = excused, A = absent

Guests:

I. Guzenfeld – Rep. for Hon. Eric L. Adams, Brooklyn Borough President
I. Valladares - Rep. for Hon. Carlos Menchaca, City Council Member
J. Choi Z. Wollman A. Rothkrug
S. Bonuso R. Martinez A. Wright
J. Pizzaro D. Ordower

****THESE MINUTES ARE CONSIDERED A DRAFT UNTIL APPROVED AT THE
SUBSEQUENT LANDMARKS/LAND USE COMMITTEE MEETING****

At **6:06** the meeting was called to order by Land Use chair, Peter Fleming. The applications specifics are stated below:

- **PUBLIC HEARING** regarding an application to the Department of City Planning by **PHD Summit LLC** pursuant to Sections 197-c and 201 of the New York City Charter for an amendment to the Zoning Map, Section No. 16a, changing Lots 48-52 on Block 352 (AKA [55-63 Summit Street](#)) from an M1-1 District to an R6B District to permit development of a 5-story, 14- unit residential building. Department of City Planning ULURP No. C 170047 ZMK.

The Attorney for the owners of the property presented on their behalf and, as he explained, they regretted that could not attend as they had to attend a funeral in California.

The applicants attorney stated that the intent was to rezone a M1-1 District to an R6B District to permit development of a 5-story, 14 unit residential building and that it was a typo that the notice read “12 Unit”.

This property had been left out of previous re-zonings in 2007 & 2009 and that the applicant felt that had left it as an in anomalous and incompatible zoning for the lots.

To comply with Mandatory Inclusionary Housing (MIH)¹ this property will include 25% of the square footage to be affordable which amounts to 3 to 4 affordable units.

The applicant stated that they had also considered adding community space but that option was not financially viable and the building envelope would be limited to 50 feet in height.

For the affordable rates- based on the Area Median Income (AMI) would be as follows:

- At 40% of the AMI a studio would have a monthly rent of \$475, a 1- bedroom \$600, 2 bedroom \$736 and a 3 bedroom would cost \$843.
- At 60% of the AMI a studio would have a monthly rent of \$760, a 1- bedroom \$962, 2 bedroom \$1165 and a 3 bedroom would cost \$1338.

The applicant also stated that there was, in the unlikely event that they do not build the affordable housing on site they have agreed to a "community benefit agreement" in which they would make a \$3 million donation to the Brooklyn Community Foundation.

One member of the community came to speak to this application and was opposed to it.

Daniel Ordower who lives at 53 Summit Street also stated he spoke on behalf of 51 & 49 Summit Street as well.

The community resident said that there is support for something being built in the currently unoccupied space but that he, and his neighbors, believed it should not be, what they see as, an out of context development. He also stated that his interactions & responsiveness with the developer have not been satisfactory with issues such as cracked sidewalks. He also mentioned the concern for too much shade being cast over the low rise Columbia Waterfront district.

There were some questions about the placement of the utilities and whether they'd be placed on the roof due to its proximity to the flood zone.

Councilman Brad Lander arrived and spoke in favor of this application and the MIH component of the deal and, in the unlikely event they are unable to build the affordable, that 3 million would go to a non-profit organization in the community.

Committee Chair Peter Fleming then explained that after the next item, also a land use public hearing, the committee and public would be allowed to give its opinion and ask questions of the applicant.

¹ Refers to zoning text changes made in 2016 that requires zoning actions include various levels depending on unique factors, that a share of new housing to be permanently affordable.

At **6:25** the second public hearing began. The applications specifics are stated below:

PUBLIC HEARING regarding an application to the Department of City Planning by the **New York Police Department and the New York City Department of Citywide Administrative Services**, pursuant to Section 197-a of the New York City Charter, for the acquisition of property located at Lot 250 of Block 612 (AKA [700 Columbia Street](#) for continued used as a vehicular evidence storage facility. Department of City Planning ULURP No. C 180256 PQQ.

Captain Stephen Bonuso presented for this application explaining that in order to renew the lease for location the variance that was initially granted 20 years ago needs to be renewed so that they can continue it. Urgent use.

The captain explained the volume of evidence, ranging from cars and biological, and that this location, specifically “the hangar” allows for evidence to be kept necessarily pristine.

Along with the captains presentation there was corresponding video showing the layout of the facilities and its current use.

At **6:35** the application for **PHD Summit LLC** AKA [55-63 Summit Street](#) reconvened.

Committee raised concerns that the development was not contextual and if the rezoning were to be granted this precise plan would not need to be held to.

There were also some questions about the “Community Benefit Agreement”(CBA) and the 3 million dollars and how this would benefit the community being directly impacted by this development. It was suggested that the CBA should have more accurate name.

The committee also asked about community facilities in the surrounding area to which the applicant was not sure of their locations but cited that this can include private businesses such as doctors’ offices.

Along with this, the committee asked about whether or not this would be LEED² would it be a “passive”³ development?

The applicant stated that this may not be possible but was certain every possible effort to be environmentally sound will be made.

² Leadership in Energy and Environmental Design (**LEED**) is a rating system devised by the United States Green Building Council (USGBC) to evaluate the environmental performance of a building and encourage market transformation towards sustainable design.

³ “A Passive House is a building, for which thermal comfort (ISO 7730) can be achieved solely by post-heating or post-cooling of the fresh air mass, which is required to achieve sufficient indoor air quality conditions – without the need for additional recirculation of air.”

The committee then asked about the developer's history of redevelopment as opposed to ground up building.

The applicants' attorney indicated that they have been involved with both through New York City and Brooklyn.

Questions that had been given to the board office by committee members for the applicant regarding flood plans had not been transmitted and the attorney was not prepared to answer further questions on some matters related to flood issues.

Some committee members also expressed a wish that there were more affordable housing in the plan and the project itself were bigger. There was a question that asked why not ask for R7 as this building may not be out of context in 5 to 10 years.

Judith Thompson made a motion to approve the application that was seconded by Mark Shames.

Friendly amendments were made that it was a conditional approval based on the following:

- Prior to voting on this the applicant is required to make available more accurate schematics of the proposed development.
- Find out if utilities will be placed on the roof.
- The elimination of the front facing balconies.

VOTE: 12.....YEAS 0.....NAYS 0.....ABSTENTIONS

The committee then vote unanimously to approve

At 7:10 PUBLIC HEARING regarding an application to the Department of City Planning by the New York Police Department and the New York City Department of Citywide Administrative Services, pursuant to Section 197-a of the New York City Charter, for the acquisition of property located at Lot 250 of Block 612 (AKA 700 Columbia Street) for continued use as a vehicular evidence storage facility. Department of City Planning ULURP No. C 180256 POK.

Nobody from the community came to speak for or against this application.

Jerry Armer made a motion to approve and it was seconded by Bob Levine.

VOTE: 12.....YEAS 0.....NAYS 0.....ABSTENTIOS

Committee voted to approve unanimously

Ancillary The landmarks portion of the meeting began at **7:14**

Certificate of Appropriateness application for expansion of an existing rooftop elevator bulkhead and installation of a new rooftop fence at **236 Kane Street in Cobble Hill Historic District.**

This application, which was for the Kane Street Synagogue was presented by its architect, Michael Zuckerman, along with a member of the Board of Trustees for the Synagogue.

The proposal would affect both the building's religious sanctuary and its pre-school. It expands the bulkhead for the elevator in order to make it compliant with the Americans with Disabilities Act (ADA).

It also adds a perimeter fence on the roof in order to allow pre-school students a location to play along with some assembly, as needed, especially on certain religious days.

The committee had issues with the mock-up as it did not accurately portray what was being done, specifically with regard to the fence. There were questions about the play equipment (i.e. jungle gyms and slides) and its effect on visibility from the street.

The applicant stated that all the play equipment would be moveable and not be permanent.

The committee also had questions regarding the boiler and if it needed to be raised at all.

The applicant stated that it needed to be checked on and he couldn't answer at the moment.

The committee also had questions about the lighting on the roof and why they required a public assembly permit which allows up to 75 people. Also, aside from bar/bat mitzvahs would there be weddings?

The applicant stated that they would use it for some religious events and that it would all be compliant and there will be no weddings as the location - doesn't have the ancillary space that is required for most weddings.

Jerry Armer made a motion to approve and it was seconded by David Briggs with a friendly amendment: that the light fixtures are not visible from the street and that boilers needing to be raised/or not raised be confirmed prior to the full board meeting on April 11th.

VOTE: 12.....YEAS 0.....NAYS 0.....ABSTENTIONS
The committee then vote unanimously to conditionally approve.

Certificate of Appropriateness application for installation of a new penthouse addition and alteration to existing windows on the existing rear yard extension at **119 Congress Street, Cobble Hill Historic District.**

The applicant/developer of the project gave a history of the building that was built in 1852 by Thomas Wheeler.

The applicant stated that it's been unoccupied for decades and part of the remodeling had already been approved by the Landmarks Preservation Committee. The bulkhead is being extended into a penthouse.

The applicant was asked about whether or not the flues were active and if so why weren't they raised to proper level height?

The current plans did not account for the chimney flues, and after some more discussion regarding the specific levels of height and what was required David Briggs made the motion to table this application for next month with Jerry Armer seconding the motion.

The committee then voted to table the motion.

VOTE: 11.....YEA 0.....NAY 1.....ABSTENTION

Certificate of Appropriateness application for replacement of a blue stone sidewalk with pigmented concrete at **334 President Street, Carroll Gardens Historic District.**

The owner of the property presented on her own behalf explaining that she is supportive of the historic designation and historic districts in general. However, in her opinion the Carroll Gardens historic district's character is defined by the front yard gardens and not the sidewalk materials. She also noted that the blue stone is only used in front of 2 other properties on the entire block and that it would not be in context if she has to repair her sidewalk with blue stone, after a pending fine from the Department of Transportation due to a cracked sidewalk.

David Briggs made the motion to approve and was seconded by Michael Racioppo.

The committee then votes to approve

VOTE: 10.....YEA 0.....NAY 2.....ABSTENTION

Bob Levine made a motion to approve the minutes from the last meeting held on February 22, 2018 with Mark Shames seconding the motion.

The committee then vote unanimously to approve

Jerry Armer made a motion to adjourn at **8:22**

Minutes submitted by Michael Racioppo