

**Community Board 8  
Concern for Independent Living  
151 Rochester Avenue  
Brooklyn, NY 11213**

**September 13, 2018**

**Members Present**

Sasha Ahuja  
Glinda Andrews  
Desmond Atkins  
Princess Benn-James  
Julia Boyd  
Adem Bunkeddeko  
Helen Coley  
James Ellis  
Andrea Ferris  
Fred Frazier  
Tamika Gibbs  
Nizjoni Granville  
Xeerxeema Jordan  
Shalawn Langhorne  
Tarves Lord  
Elaine Mahoney  
Adelaide Miller  
Atim Oton  
Robert Puca  
Yahya Raji  
Adam Sachs  
Brian Saunders  
Meredith Staton  
Edison Stewart  
Audrey Taitt-Hall  
Mark Thurton  
Greg Todd  
Ethel Tyus  
Sheryl Vassell  
Gib Veconi  
Yves Vilus  
Irsa Weatherspoon  
Sharon Wedderburn  
Robert Witherwax  
Vilma Zuniga

**Members Absent/Excused**

Deshauna Appleton  
Wayne Bailey  
Gail Branch-Muhammad  
Faith Corbett  
Michael Cox  
Dian Duke  
Phu Duong  
Drew Gabriel  
Elijah Gray  
Lisa Lashley  
Robert Matthews  
Kwasi Mensah  
Stacey Sheffey  
Deborah Young

**Elected Officials**

Assemblywoman Tremaine Wright, 56<sup>th</sup> AD  
District Leader Olanike Alabi, 57<sup>th</sup> AD

**Elected Official Representatives**

Eli Slavin, Congresswoman Clarke  
Crystal Hudson, Majority Leader Cumbo  
Jamila Pringle-Fynes, Mayor's Office CAU  
Kegan Sheehan, Councilman Cornegy  
Taiquan Coleman, Assemblywoman Wright  
Lucien Allen, Assemblyman Mosely  
Shakti Robbins, Senator Montgomery  
Lee Church, Congressman Jeffries  
Kathleen Daniel, Borough President Adams

**CB 8 Staff Present**

Michelle George  
Julia Neale  
Melanie Grant

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The regular meeting of community Board 8 was called to order at 7:25 PM by Ms. Nizjoni Granville, Chairperson.

**Acceptance of minutes** – The minutes of the last meeting were unanimously accepted as presented on motion by Ms. Tyus and second by Mr. Staton.

**Correspondence** – CB 8 newsletter and other information was distributed.

Ms. Granville acknowledged the presence of 77<sup>th</sup> Precinct Community Affairs officer, Det. Pierre Louis and Officer Green. She asked for an official welcome from Concern for Independent Living.

**Concern for Independent Living (CIL)** – Ms. Michelle Harper

On behalf of CIL, Ms. Harper welcomed the community to the 65 bed supportive housing facility. She announced that CIL is currently hiring at the facility that opened in 2011. Please inquire within.

Ms. Granville thanked Ms. Harper and asked for an update on the handicapped accessibility of the Eastern Pkwy/Brooklyn Museum 2/3 IRT train station.

**NYC Transit** – Mr. Andy Inglesby, Asst. Director of Government and Community Relations

Mr. Inglesby stated that the ADA project at the 2/3 Eastern Parkway/Brooklyn Museum station is a long time coming in the community. The project was first proposed by Community Board 8 in the early 2000s and had been listed as part of the 20 year plan at the time. Currently, the project was awarded in the middle of August and is very early in the construction phase. Actual construction will begin in one to two months. He explained that the station is nestled on the outskirts of Prospect Park, right in front of Botanic Garden and the Brooklyn Museum. The station is centered between the Grand Army Plaza and Franklin Avenue stations, and has two platforms and four tracks.

Full details of the ADA accessibility are as follows:

Street Level:

- Construction of one elevator on the eastbound side of Eastern Parkway and widening one stair from street to mezzanine on the westbound side of Eastern Parkway
- Excavation of sidewalk and street for the construction of the two mezzanine elevators and mezzanine expansion
- Addition of ADA compliant treads and handrails at street stairs
- Utilities coordination and relocation

Mezzanine Level:

- Provide two mezzanines to platform elevators, one to each platform
- Expansion of mezzanine and addition of elevator machine rooms
- Reconfiguration of station rooms

Platform Level:

- Construction of ADA boarding area on both platforms

Also as part of the plan, the following Constructability and Maintenance & Protection of Traffic (MPT) Considerations were considered and adopted for implementation:

- Partial closure of mezzanine to expedite construction

- Short term impact of street traffic
- Safety of pedestrian traffic in the project vicinity
- Availability of full sidewalk for pedestrian traffic
- Consideration to merchants' and residents' needs in the project vicinity
- Use of NYPD traffic agents (TEAs) to maintain traffic

During the rehabilitation process, there will be a partial closure of the mezzanine. The station, however, will never be completely closed during construction. There will be times where there will be a single direction by-pass, which will most likely occur on weekends to prevent extensive disruption. Additionally, there will be a short term impact on street traffic, but NYC Transit will maintain access for streets and travel lanes. The project will last 26 months, and the agency is expecting the elevator to be open for customer usage in early fall 2020. The community will be updated at all times on the progress.

Mr. Staton asked if this construction and elevator is definitely coming and fully funded. He was informed that it is indeed, and is 100% on track for 2020 completion. In 2002 when this process started, the Board was told that it was part of the 20 year plan, and the current projection is within that timeline.

Ms. Granville thanked Mr. Inglesby for the information and invited Assemblywoman Tremaine Wright to say a few words.

**56<sup>th</sup> Assembly District** – Assemblywoman Tremaine Wright

Assemblywoman Wright announced that property owners in the 56<sup>th</sup> AD should have received correspondence from her district office identifying recent legislation that has taken effect in New York City. The Construction Notification Bill she had been working on since joining the Assembly has been signed into law by Governor Cuomo and has taken effect. Henceforth, whenever construction next to your property is slated, the Dept. of Buildings must notify you that a construction permit has been issued and assure you that the construction company and/or developer has the necessary insurance for the project.

Additionally, the Assemblywoman announced that a marijuana legalization listening tour is currently happening across New York State, and will be coming to the city the week of September 16<sup>th</sup>. The tour will hear the concerns and ideas from residents and take them into consideration for the legalization bill that will be moving forward this year. On October 5<sup>th</sup> and 6<sup>th</sup>, there will be a candidates forum on medicinal marijuana and legalization. For more information, call her office at 718-399-7630.

Responding to a constituent's concern that construction has begun next to her property but which she was not notified about, Assemblywoman Wright stated that the construction bill does not look back, is not retroactive, and is only applicable going forward. If the permit has already been issued, neighboring properties will not be notified and notification if not required by law. However, anything issued after the date the bill went into law, neighboring properties must get notice.

Ms. Tyus asked if there is a difference between demolition, excavation, construction, etc. spelled out in the bill. Assemblywoman Wright stated that by using the word "construction," it is all encompassing and includes all of those things by default. The phrasing, "adjoining properties" is also all encompassing, and is indicative of all four corners of the property line. Demolition is explicitly stated. While excavation is not explicitly stated, it is part of the construction phase, so

the general term construction captures it. When framing the bill, she stated that she used her training as an attorney to utilize the DOB's reading of the definition of construction, which considers excavation and demolition as construction.

Ms. Granville thanked the Assemblywoman for the information and encouraged everyone to look for these construction notices. She also urged everyone to spread the news to their neighbors. She then invited District Leader Alabi to say a few words.

**57<sup>th</sup> Assembly District Leader** – Ms. Olanike Alabi

District Leader Alabi announced that she was informed by the Community Affairs officers that they were dispatched to visit poll sites as there is a hotly contested race for the 20<sup>th</sup> Senatorial District and tempers are flaring in a few cases. She urged anyone that had not yet voted to please vote before polls close at 9 PM. She announced that the November general election is very important for the welfare of the country. It is imperative that we each utilize our hard fought voting privileges.

Mr. Staton questioned why some names were not on certain ballots despite there being an election for them. He was informed that this could be caused by a myriad of different reasons: A) the candidate could be running unopposed, which means there is no contest and no need to put them on the ballot; B) the candidate could be running in a specific area but may not be a candidate for a particular election district. She reminded everyone that poll sites cover different election areas. C) certain things are not to be voted on by certain election districts as well. And finally, D) human error. She informed him that if he believes a candidate was left off in error, contact the Board of Elections immediately if he has not done so already.

Ms. Granville thanked District Leader Alabi and allowed Ms. Robyn Berland, President of Friends of Brower Park, to make a brief statement before the Board.

**Concerned Resident** – Ms. Robyn Berland

Ms. Berland introduced herself as the President of Friends of Brower Park (FOBP), but stated that she is here not in that capacity, and is rather in the capacity of a concerned resident. Ms. Berland graphically described an incident on the outskirts of Brower Park in which her dog, Ralphie, was brutally attacked at 10 PM by an off-leash dog that came bounding from the park as she was walking her two dogs. After describing the attack, Ms. Berland asked the Board for support in changing the off-leash dog policy in NYC parks and playgrounds. She proposed the following things that must change before another dog, child, or adult is attacked and potentially killed by the dangerous situation at the park:

1. Park rules regarding dogs should be prominently posted;
2. Park hours of operation should be prominently posted and clear; Rules that differentiate between people with or without dogs are not fair to the community at large;
3. Park Staff need training to be alert to violations of the rules and the ability to call in support when needed;
4. The police need to be responsive to needs for dog enforcement;
5. All attacks by dogs whether against humans or other dogs must be recorded to provide an accurate accounting of dog and dog owner behavior;
6. Funds must be immediately allocated to provide an enclosed space for dogs to be off-leash while plans for a permanent dog run can be made. There is a need for more dog runs in parks and in neighborhoods to better manage the growing presence of dogs.

7. There need to be consistent consequences for dog owners disobeying rules. Public safety is paramount.
8. There needs to be a victims fund set up to cover the financial and emotional cost of these attacks. Possibly as part the dog licensing process;
9. Animal Adoption facilities must provide training & management before an adoption can be finalized including full disclosure of the dog's history with a clear acknowledgement of the responsibility the potential owner is taking on and the consequences of not adhering to recommendations.

Ms. Berland stated that there is a survey online on the FOBP website for the community to participate in a forum on dog policy. Off-leash rules were changed without notice to the community to allow for dogs to be off-leash almost 12 hours a day, and usually at a time when the park is most used by people.

Ms. Granville expressed her sympathy to Ms. Berland for her experience in the park, and encouraged the community to participate in the survey. She then asked for a report from the following committees:

#### **Economic Development** – Ms. Atim Oton, Chairperson

The Economic Development Committee met on Tuesday, September 4, 2018 at Brooklyn Neighborhood Improvement Association (BNIA) located at 465 Sterling Place, Brooklyn. In addition to the Chair Atim Oton, also present were Yahya Raji, Leonardo Restrepo, and Frank Hosein, Jr.

The committee discussed two upcoming projects: 1) The Job Training Fair scheduled for January 23<sup>rd</sup> and 26<sup>th</sup>, 2019; and 2) Culinary Arts training with NYC and a number of the restaurants in the district. Each attendee was given the responsibility of looking for employers within the CB 8 boundaries prior to the next meeting.

The next meeting of the Economic Development Committee meeting will be on Tuesday, October 2, 2018 at 6:30 PM at BNIA. All are invited to attend.

#### **Environment, Sanitation, Transportation (EST)** – Mr. Robert Witherwax, Chair; Ms. Irsa Weatherspoon, Vice-Chair

Mr. Witherwax announced that EST has not met yet for the beginning of the meeting season. He stated that instead of a committee meeting in September, members are encouraged to go to Medgar Evers College on Tuesday, September 25, 2018, which is the same day as the meeting, where MTA President Andy Byford will be on hand to speak on transit issues. He stated that it would be more productive to hear this official address the issues that the committee would discuss.

The next regularly scheduled meeting of the EST committee will be Tuesday, October 23, 2018 at BNIA located at 465 Sterling Place, Brooklyn at 6:30 PM. All are invited to attend.

#### **Health and Human Services** – Mr. Kwasi Mensah, Chairperson

The Health and Human Services Committee met on Monday, September 10, 2018 at Brooklyn Neighborhood Improvement Association (BNIA) located at 465 Sterling Place, Brooklyn. The committee did not submit a report. However, at the general meeting, in absence of the Chair, Ms.

Shalawn Langhorne announced that at the next regularly scheduled meeting on Monday, October 1, 2018, members will discuss the annual health fair, mental health, Vital Brooklyn program, and the second agriculture fair. The meeting will be held at 6:30 PM at BNIA.

Ms. Langhorne also announced that September is National Preparedness month, and encouraged everyone to create go-bags in case of emergency. She cited the many massive hurricanes that are battering the United States and surrounding countries as an example of why it is so necessary to be prepared in case of an emergency.

**Housing** – Ms. Nizjoni Granville, Chair

The Housing Committee met on Wednesday, September 12, 2018 at Brooklyn Neighborhood Improvement Association (BNIA) located at 465 Sterling Place, Brooklyn. In addition to the Chair Nizjoni Granville, also present were Ethel Tyus, Wayne Bailey, Xeerxeema Jordan, Carly Hoffman, Brian Saunders, Yves Vilus, Greg Todd, Yahya Rajo, Sarah Lazur, Frank Hosein, Jr., and Dian Duke.

The committee discussed its upcoming Housing Fair scheduled for Saturday, October 27, 2018 from 11 to 4 PM at Albany Community Center located on Troy Avenue at Prospect Place.

The next meeting will be held on Thursday, October 4, 2018 at 6 PM at BNIA. Please note: due to space issues, the Housing meeting will occur directly before Land Use on the first Thursday of the month for at least the next three months. The committee will meet *per agenda* in the period of time between 6 PM and 6:30/6:45 PM. All are invited to attend.

**Land Use** – Ms. Ethel Tyus, Chairperson

The Land Use Committee met on Thursday, September 6, 2018 at the Center for Nursing and Rehabilitation located at 727 Classon Avenue, Brooklyn. In addition to the Chair, Ethel Tyus, also present were Phu Duong, James Ellis, Fred Frazier, Nizjoni Granville, Adelaide Miller, Gib Veconi, Irsa Weatherspoon, Thomas Abbot, Marc Ackerson, Claudette Agard, Fr. F. Black, Coleen Ceriello, Jessica Dabeira, Jay Datema, John DeWind, Ben Fuqua, Brandon Guy, Mary Galloway, Delcon George, Adam Heller, Felicia Hill, Gregory Jack, Nicole Job, Annette Kavanaugh, Mik Larson, Sarah Lazur, Beatrice Logan, Ernest Logan, Charlotte Morales, Carmella Murden, Ernest Murden, Sherida Paulsen, Kevin Pellon, Fr. Guy Sansariq, Brianna Segerson, Brian Squibb, and Sara Willard.

The committee discussed the following Landmarks applications:

**1. Landmarks Application for 991 St. Johns Place (Crown Heights North Historic District)**

Representatives from PKSB Architects Sara Willard and Sherida Paulsen (LPC Chair from 2001-2003 per NYPAP) presented a plan to adapt the former St. Gregory the Great RC School building at 991 St. Johns Place (aka 987-997 St. Johns Place, 1004 Sterling Place) to residential use.

Most pertinent details regarding the application:

- A renewable 48-year ground lease to the developer, Workable St Johns LLC.
- The existing building has three stories plus a basement and was closed in 2011 after

engineers of the Brooklyn Diocese declared it structurally compromised due to a crack in the primary façade and street wall which is visible on the southeast corner of the building, and the building has remained vacant since.

- The proposal is to repair and restore the existing building **while adding side a two-story rooftop additions to support 46 small residential units.**
- Unknown what the rental rates will be, but the committee was informed that the anticipated income will be used to repair the church and support other Brooklyn Diocese schools.
- Attendees complained of an underground lake or pond that floods the school basement and those of adjacent properties during/following heavy rains, such flooding is the likely cause of a subsidence condition causing the crack in the school's street wall. The presentation did not propose a cure for this underlying problem.
- Attendees complained that the density and scale of the proposed additions are out of context and do not harmonize with the surrounding streetscape.
- The size of the enlarged building will overwhelm the church as well as the neighboring rowhouses.
- The transition from the neighboring three-story rowhouses to the proposed augmented/new building is severe and all but negates the concept of a historic district, a sentiment shared by the Crown Heights North Association, which stated in their letter that the proposal egregiously violates the principles of historic designation.

On motion made and seconded, the Committee voted unanimously to withhold support for the proposal until the following conditions are met:

- The application is revised to show a reduction in height of the building so it does not overwhelm the church building;
- There is a further reduction of the western addition so that it forms a transition with the abutting row houses;
- And a presentation of a preservation plan for the church.

The Committee voted unanimously to withhold support and hopes that the full Board will do the same.

As a point of note, Ms. Tyus also pointed out that the proposal only provides 13 parking spaces for the 46 units.

Mr. Puca asked if the church is landmarked. He was informed that it is within the boundaries of the Crown Heights North Historic District, so yes, it has historic designation. He also asked if they have a hearing date before LPC and was informed that the hearing is scheduled for October 9<sup>th</sup>. He followed up by asking what LPC has said about the design and the issues raised in committee. The architect for the project stated that LPC has asked for additional information in the form of an Existing Conditions Report of the church. The conditions report has been completed and submitted to LPC. There was no mention by LPC of downsizing the project.

Mr. Staton asked if the funds raised from the rentals would be spread throughout the diocese or just the district. The architect stated that the funds raised by this project go directly to St. Gregory's; they do not go to the diocese or any other church within the diocese.

Mr. Stewart inquired about the underlying problem of the potential subsidence issues and asked if a time frame was given on a remedy. He was informed by the architect that the building is not

suffering from structural failure and is rather suffering from structural decline. It was explained that there are a significant number of cracks in the façade and in the roof, thus leading to water damage. The façade renovation will address this. She stated that she cannot provide an answer to the subsidence assertion as they recognized the water damage from above, but did not consider water damage as originating from below (as would be the case with subsidence).

Mr. Veconi asked if it would be possible for the Board to obtain a copy of the Existing Conditions Report. He was informed that the architects are not the authors of the report, but they will make it available to LPC when it becomes available. Ms. Ceriello commented after the architect, stating that the findings of the report are privileged information and that the church and architect have no responsibility to share it with the Board unless they choose to do so after Ms. Tyus questioned who is producing the report. Ms. Ceriello further stated that she is also not at liberty to divulge the authors of the report to the Community Board. She concluded by stating that if the parish decided to share it outside of the commission (LPC), that is their prerogative, but it is not necessary by law. Ms. Tyus reminded Ms. Ceriello that if the ponding issue is not addressed, it will impact the stability and longevity of the project.

Ms. Lazur asked if it was possible at this stage to add a stipulation requiring affordable housing. She was informed by church representatives that the church is seeking the maximum return on the project and is not considering affordable housing.

Mr. Ellis made a motion to support the committee's recommendation to withhold support for the project. The motion was seconded by Ms. Weatherspoon and carried unanimously with 35 members present.

## **2. LPC Application for 380 Sterling Place (LPC 19-29698, Prospect Heights Historic District)**

Mr. Kevin Pellon, R.A. of dsb+ Architecture and Interiors presented a proposal to remove a windowless metal bay on the west side of the first floor rear façade of this two-family brownstone. The project will install a window and a double door to an existing rear deck. A member of the Prospect Heights Neighborhood Development Council (PHNDC) indicated that they had no objections to the proposal. An LPC hearing on the application is scheduled for Sept. 25, 2018.

On motion made and seconded, the Committee voted unanimously to support the proposal and hopes that the full Board will do the same.

Mr. Ellis made a motion to support the committee's recommendation. The motion was seconded by Ms. Oton and carried unanimously with 35 members present.

## **3. LPC Application for 949 St. Johns Place (Crown Heights North Historic District)**

Mr. Marc Ackerson of Field Lines Architecture presented the owner's proposal to:

- Replace the existing aluminum replacement windows of the primary façade with new energy efficient, wood clad windows in a historically appropriate color while restoring the missing brick molding;
- Construct a new one story, 114.94 sqft. addition as well as;
- Enlarge the rear glazed openings on the cellar, 1st and 2nd Floors;
- Place two condensing units on the roof that are not visible from the street or neighboring rear yards.



This full width expansion would be the only one on the pristine green space of this block. The Crown Heights North Association provided a letter of ‘No Objection.’ The LPC hearing date was not noted. On motion made and seconded, the Committee voted unanimously to support the proposal.

Mr. Veconi made a motion to support the committee’s recommendation. The motion was seconded by Mr. Staton and carried with a final tally of 34 in favor, 1 opposed, with 0 abstentions.

As a point of note, the committee also heard an application for 1139 Dean Street and voted to withhold support for the application. Instead of presenting an action item at the general meeting, the committee agreed to let the owner and architect of the building present a revised proposal at the October meeting as they had requested.

Outside of action items, the committee also received an update from the M-CROWN Subcommittee, which presented a joint letter from Council Member Laurie Cumbo, Borough President Eric Adams and CB8 Chair Nizjoni Granville to City Planning Commission Chair Marisa Lago and Dept. of City Planning’s Brooklyn Director Winston von Engel responding to the framework for rezoning of the M-CROWN district which DCP proposed in February of this year. The M-CROWN Subcommittee will meet September 26, 2018 at IMPACCT Brooklyn, 1000 Dean Street, Suite 420 at 6:30 PM. All are welcomed to attend.

The next Land Use committee meeting will be held on Thursday, October 4, 2018 at 6:30 PM (directly following the Housing committee) at Brooklyn Neighborhood Improvement Association (BNIA) located at 465 Sterling Place (corner of Washington Avenue), Brooklyn. Please note the new location, and also note that Housing has been moved to meet jointly due to renovations at CNR.

#### **Parks** – Ms. Glinda Andrews, Chair

Ms. Andrews announced that the Parks Committee did not meet in the month of September. The next meeting will be held on Tuesday, October 2, 2018 at 6:30 PM at David Chavis Apartments located at 230 Kingston Avenue (corner of Sterling Place). St. John’s Recreation center is still under construction and it will be another few months until the work is completed. Until such time as the center re-opens, the committee will meet at David Chavis.

Additionally, the comfort station opening has been delayed as well. The ribbon cutting was slated for this summer, but was postponed. Additional information is not available at this time.

#### **Public Safety** – Ms. Shalawn Langhorne, Chair; Mr. Mark Thurton, Vice Chair

The Public Safety Committee will meet on Monday, September 24, 2018 at 6 PM at the 77<sup>th</sup> Precinct located at 127 Utica Avenue, Brooklyn. All are invited to attend.

Ms. Langhorne announced the next Begin Again Event on September 21st and September 22nd 2018 between 9 a.m. and 3 p.m. at Lenox Road Baptist Church located at 1356 Nostrand Avenue, Brooklyn. At the Begin Again event, which is sponsored by Kings County District Attorney Eric Gonzalez, those with a low-level conviction for marijuana possession will have the opportunity to erase that criminal record completely in the first initiative of its kind in New York State. Under this program, anyone convicted of low-level marijuana possession will be eligible to file a motion asking to vacate that conviction and dismiss the underlying charge. Additionally,

outstanding warrants and NYPD summonses issued before August 31st can be dispatched of as well. She asked everyone to spread the word.

**Seniors** – Ms. Gail Branch-Muhammad, Chair

The Seniors Committee met on Wednesday, September 5, 2018 at David Chavis Apartments located at 230 Kingston Avenue, Brooklyn. In addition to the Chair, Gail Branch-Muhammad, also present were Regina Kinsey, Norma Glover, Essie Spivey, Frances Langley, Loretta Fisher, Leola Mills, Faye Jones, Yvonne Bailey, Estelle Rogers, Edith Allen, Vashti Bentinck, Doreen Turner, Annabelle Boyd, Brenda Green, Georgia Rogers, William Rogers, Wallace Alexander, Mabel King, Edison Stewart, Xeerxeema Jordan, Linda Ferrette, Julia Boyd, Princess B. James, and Sheryl Vassell.

The committee was joined by Mr. Jerome Michaux, Senior Advocate with Little Brothers-Friends of the Elderly, who put together a Crown Heights Senior Resource Guide. Additionally, Ms. Muhammad announced to the committee that Mr. Mark Kassman from Citiva Medical LLC will be opening a Medical Marijuana Dispensary at 202 Flatbush Avenue, Brooklyn. Mr. Kassman will be attending the October meeting to discuss their program which aims to dispel the negative notions about medical marijuana. Finally, Ms. Muhammad announced that October is Fire Safety Month and she will ask the District office to try to get a speaker from the FDNY to attend and speak fire hazards and how to prevent them.

The next meeting of the Seniors Committee will be held on Wednesday, October 3, 2018 at 6 PM at David Chavis Apartments. All are encouraged to attend.

**SLA and Sidewalk Café Review Committee (SLAC)** – Mr. James Ellis, Chairperson; Mr. Robert Witherwax, Vice-Chair

The SLAC Committee met on Monday, September 10, 2018 at the Center for Nursing and Rehabilitation located at 727 Classon Avenue, Brooklyn. In addition to the Chair, James Ellis, and Vice Chair, Robert Witherwax, also present were Wayne Bailey, Diane Duke, Fred Frazier, Jamie Hardt, Oliver Hardt, Lisa Lashley, Robert Puca, Brian Saunders, Meredith Staton, Mark Thurton, Sheryl Vassell, Gib Veconi, Irsa Weatherspoon, Glendy Diaz, Alyssa Hughes, Lama Alsuwayan, Yankel Fernandez, Luciana Scrutchen, Atiba Stevenson, Jennifer Waverek, Laura Vogel, Larry Glogan, Roger Myers, Kevin Walters, Ann Cat, Joanna Ryan, Zahra Lucas, Stephanie Van Buren, Claire Sprouse, Joshua Meckes Cory Bonfiglio, Jeff Phillips, J. Henderson, and Jon Silver.

The committee discussed the following liquor license applications:

**1. Renewals:**

- a. Kai Studio, 1011 Dean Street (Franklin/Classon Avenues) – Full
- b. Mayfield, 688 Franklin Avenue (corner Prospect Place) – Full (garden/grounds, with committee requirement of no amplified sound in rear yard)
- c. Barghost Corp., 71 6th Avenue (Dean/Bergen Streets) – Full

The committee voted to support all 3 renewal applications in the hopes that the full Board supports its recommendation.

Mr. Atkins made a motion to accept the committee's recommendation. It was seconded by Mr. Stewart and carried with a final vote of 34 in favor, 1 opposed, with 0 abstentions

## 2. New Applications:

### A. Mi Tierra Restaurant Corp DBA Mi Tierra, 732 Classon Avenue (near Park Place) – Wine/Beer/Cider License

Details of the application are as follows:

- i. 4 tables with a two to four person capacity at each, with a maximum occupancy of 50
- ii. Hours of operation 8am-9pm, daily
- iii. Application amended to reflect Outdoor service area includes front patio with 3 tables, 2 seats each (Note: this area is believed to be included in building lot line thus not warranting a DCA Sidewalk Cafe Permit)
- iv. Outside operation hours same as business, 8am-9pm
- v. No live music

The committee voted 14 in favor of supporting the application with the condition that the applicant provide documentation that the outdoor service area does not require a Dept. of Consumer Affairs permit, or remove the outdoor service area from the application. It hopes the full Board supports its recommendation.

Documentation requested by the committee was provided, but Mr. Witherwax stated that it was inconclusive for what the committee had asked for. He stated that we would need to see the plot of where the building is situated on the lot. Ms. Tyus stated that in these instances, the Board should ask the applicant to get a copy of the most recent survey from the building owner.

Mr. Atkins asked that if the issue of the lot line sidewalk area is still being deliberated, does it have to go back to committee or can the committee's motion be amended? He then made a motion that the application be approved minus the area in contention. His amended motion was seconded by Ms. Oton.

Mr. Veconi stated that since the application will be going to SLA, it is important to make sure that if we vote on it, we know the owner's position. In the absence of the owner, he asked the representative if the applicant was willing to forego the outdoor space in pursuit of the license, thus making it necessary to apply for an alteration application. The representative stated that the proprietor is in contact with the property owner for the survey, which will take two weeks. She stated that if it is an option, she would prefer to have the application tabled until next month's meeting to get the necessary schematics. Mr. Atkins withdrew his motion, and the item was tabled.

### B. Hops 550 LLC, D/B/A Beer Street South, 550 Vanderbilt (Pacific/Dean Streets) -Full License

Details of the application are as follows:

- i. 8 to 22 modular tables with up to 72 seats; 1 bar with 26 seats, max occupancy 180 people
- ii. Hours proposed: Sunday 2pm-1am, Monday-Thursday 5pm-1am, Friday 5pm-2am, Saturday 2pm-2am
- iii. No outdoor space
- iv. 500 foot hearing--Community Benefit Statement: Unique establishment with a service focus, with local hiring goals. Second location in Brooklyn (1st in Williamsburg)

- vi. 10-15 service employees, 1 security employee, 2-3 external cameras, 4-6 internal cameras
- vii. 6 ceiling mounted speakers, no live music
- viii. Committee received petition with approximately 38 signatures in support of the project and a support letter from condo owners association in the building

The committee voted 14 in favor with 1 abstention to support the application with the following conditions:

- 1. The application is to be amended to include 180 max occupancy, with the application subject to the Public Assembly permit process
- 2. Limited to 6 ceiling mounted speakers

It hopes the full Board supports its recommendation.

Mr. Staton questioned the legality of only one security officer for a space with the capacity of 180 people, stating that there should be many more security officers than one for such a large space. He stated that he would not feel comfortable supporting the application without additional security and posed to the Board that the proprietor obtains security in accordance with the law. He made a motion stating as such, which was seconded by Ms. Oton.

Mr. Veconi stated that he is not comfortable creating a condition for support when the applicant is not present to agree to it (please note: all applicants are required to attend the general meeting as well to answer questions and issues such as these. This particular applicant was absent from the meeting) and made a motion to support committee's recommendation without any additions. The motion was seconded by Mr. Sachs. Mr. Witherwax stated that he will echo Ms. Oton's second on Mr. Staton's motion because it is not the onus of the Board to give credit to an applicant for not appearing at a hearing they knew they had to attend.

Under parliamentary procedures, the order of votes when two competing motions are on the table are "first in is last out." The motion to approve the application with the mandate that the proprietor obtain security in accordance with the law for the amount of people the space can accommodate was 30 in favor, 2 opposed, with 2 abstentions. The vote on Mr. Veconi's motion that the committee's recommendation be supported without the additional stipulation for security in accordance with the law was 32 in favor, 0 opposed, with 2 abstentions. Since both motions passed, the Board will send a letter to the SLA stating that it supports the license with the committee's initial stipulations, but also include a clause that the SLA ensures that the applicant have the minimum amount of security required by law for the space.

**C. Benjamin Taverns Inc., 698 Nostrand (Prospect Pl./St. Marks Ave.) -- Full, Restaurant/Bar**

Details of the application are as follows:

- i. 17 tables with 34 seats; 1 bar with 12 seats, max patron capacity 55
- ii. Proposed hours of operation: Sunday 10am-1am, Monday thru Thursday 11am-1am, Friday 11am-2:30am, Saturday 10am-2:30am
- iii. Includes garden/rear yard, with 7 tables, 14 seats; max capacity 25, with proposed hours of Sunday-Thursday 11am-11pm; Friday and Saturday 11am-12am
- iv. Noise attenuation for rear yard: plastic furniture, rubberized matting as ground surface
- v. Sound system includes 4 speakers, 30 watts, no live music

- vi. About 16 service employees, with security cameras to be installed
- vii. 500 foot exception community benefit: Applicant cites an experienced team that intends to provide an elevated sit-down dining experience in Crown Heights, with a focus on American comfort food with goal of local hiring practices
- viii. Community concerns of noise and saturation with new establishments and those in the pipeline. Upstairs neighbor concerned with soundproofing. A commitment from applicant to communicate with neighbor to ameliorate issues.

The committee voted 14 in favor with 1 opposed to support the application with the following stipulations:

- 1. Rear yard closes at 10pm Sunday-Thursday, 11pm Friday and Saturday with no amplified sound outdoors
- 3. Indoor service to cease 1am Sunday-Thursday, 2 am Friday and Saturday

It hopes the full Board supports its recommendation.

Mr. Veconi made a motion to support the committee's recommendation. The motion was seconded by Mr. Staton.

A resident in the vicinity asked if there was any way to further reduce the weekend hours of the establishment. She was informed that if the current motion on the floor failed, a member of the Board could make another motion to do so. Mr. Ellis reminded her that as a person that had been involved in the discussion during the committee meeting, she had had an opportunity to request the committee to further reduce the hours at that time.

Ms. Tyus stated that she is curious about the stated community benefit, and asked the proprietor to explicitly define what an elevated sit-down dining experience is. The proprietor stated that as success for the space is garnered, it will expand service to brunch and then lunch. He went on to say that restaurants are created for neighborhoods. Eventually, the establishment will serve breakfast, lunch, and dinner. Until success is achieved, it will just serve dinner.

The community resident that asked the previous question stated that she still does not understand whether or not it is too late to scale back the hours. She stated that she did not believe she had been allowed to ask all her questions while in the committee meeting.

Mr. Witherwax commented that he and the rest of the committee felt she had contributed greatly during the meeting, and apologized on behalf of himself and the rest of the committee for any feelings of disrespect. He succinctly and expertly explained the discussion process for liquor license applications and how the recommendations are brought before the full Board for a ratification vote. He stated that the committee had listened to her concerns and had been able to negotiate reduced hours and a quieter establishment. Explaining how the SLA operates, he stated that legally, the proprietor could have a 4 AM closing daily, but the committee managed to negotiate reduced hours during committee because of the discussion and community engagement.

Mr. Ellis also stated that the applicant will have to appear before the SLA for their 500-foot hearing. This hearing is open to the public and she would have an opportunity to appear and voice additional concerns. He also reminded the community that this is merely a letter of support and not a letter of approval. He also apologized for appearing curt during the meeting, but was merely trying to move the applications along so that the meeting could end in a timely fashion.

Mr. Veconi stated that he speaks in favor of the motion. He explained that the Board does have certain precedents in terms of dealing with 500 foot exceptions, and that a 2 AM closing is one of those precedents. He also noted that because of the additional authority that comes with 500-foot exceptions, the committee also managed to roll back the time in the backyard by an hour each day. This application is typical of what the Board does in 500-foot exception cases. He reminded everyone that the Board is not in a position to make arbitrary decisions in terms of rolling back hours, and that it does not work for us to be arbitrary in this instance. The agreement that was reached in committee is a favorable outcome for both the community and the establishment.

The full Board voted 20 in favor, 4 opposed, with 8 abstentions to support the committee's recommendation of support for the application with the scaled back hours to 2 AM.

**D. Bklyn Clay, 535 Carlton Avenue (Pacific/Dean Streets) -- Beer Wine Cider** (A unique business model as Art center and instructional facility that will offer small format classes and events with artists.)

Details of the application are as follows:

- i. Proposed service hours 10 AM to 10 PM, 7 days a week with alcohol service limited to events (members of the business will have 24 hour access to the facility)
- ii. No outdoor space
- iii. No music programming/amplified sound
- iv. 3 service employees, cameras and automated locks
- v. Support letters received from local business, 535 Carlton Tenants Association and Dean Street Block Association
- vii. Community concerns raised around saturation, concept, and smokers. Applicant has already identified appropriate smoking muster area in agreement with Block Associations

The committee voted 15 in favor to support the application with the condition that the application be amended to reflect hours of service as 10am-midnight daily.

Ms. Weatherspoon made a motion to support the committee's recommendation. The motion was seconded by Ms. Oton and carried unanimously with 33 members present

Finally, as a point of notice, but not an action item, the committee entertained a complaint from concerned residents on St. Marks Avenue that attended the meeting to express their issues with Summerhill located at 637 Nostrand Avenue. A discussion occurred around particular infractions and recourse. Complaints are as follows:

1. Operation of an illegal sidewalk café: CB 8 district office (DO) notified by DCA in the beginning of summer that Summerhill's sidewalk café permit was suspended in March 2018 due to non-payment of consent fees. The café operated all summer despite the suspension of the permit (see attached photos). The establishment was inspected by DCA in early September and issued a violation for unlicensed sidewalk cafe activity.
2. They have been blasting loud music at all times that can be heard from quite a distance away according to video footage submitted to the DO
3. Operable windows have been left open past 10pm, in violation of the stipulation in the initial application.

It is uncertain what Summerhill's hours of operations are as allowed by SLA since the Board did not support their alteration application last year. However, it was suggested that a letter on CB8 letterhead be mailed to Becca Brennan, license holder, sharing our concerns and reminding her that her establishment is subject to enforcement and asking that she and her managing partners be mindful of their neighbors and that a letter will be mailed to the SLA documenting the inappropriate behavior of Summerhill if they do not immediately cease and desist all wrongdoing.

Mr. Atkins stated that he was a board member when the application was originally presented. At that time, there was uproar from the residents in the vicinity about the sidewalk café and spacing. Additionally, there was a level of protest in community after the establishment opened because of inappropriate antics by the operator. He claimed that the laxity of the board is allowing disrespect in the community and towards residents. He continued, stating that it was a controversial application from the beginning and has gotten even worse since opening.

Ms. Tyus wanted to know about the available enforcement mechanisms that the Board has when we have business owners that disregard the rules around their establishment, and asked who would enforce the issues. Mr. Ellis stated that the Dept. of Consumer Affairs (DCA) enforced the issue but the operator continued flouting the DCA action.

Mr. Veconi made the observation that the board is going to write letter to the proprietor threatening to write letter to SLA. He asked why the Board was deferring the issue by writing to the owner instead of writing directly to the SLA, and noted that the Board does not need to warn of impending action and should eliminate this middle step. Mr. Ellis stated that the SLA will be copied on the letter.

In response to Mr. Atkins' points, Mr. Witherwax stated that no one is permitting these egregious actions by the establishment with the exception of the proprietor(s) and the patrons. As a committee, members are not in the business of shutting down an establishment because "we do not like them." The responsibility of shutting down a business lies directly with the SLA, who will investigate and come to a conclusion based on legal grounds.

The next SLAC meeting will be held on Monday, October 1, 2018 at 6 PM at Newwalk, located at 535 Dean Street, Brooklyn. All are invited to attend.

**Youth and Education** – Ms. Sharon Wedderburn, Chair; Mr. Kwasi Mensah, Vice Chair

The Youth and Education Committee met on Tuesday, September 4, 2018 at BNIA located at 465 Sterling Place, Brooklyn. In addition to the Chair, Sharon Wedderburn, and Vice Chair, Kwasi Mensah, also present were Audrey Taitt-Hall, Tarves Lord, Maria Robins-Somerville, Laurel Dagra, Yves Vilus, Sasha Ahuja, Champe Barte, Yahya Raji, Xeerxeema Jordan, and Adjua Starks.

The committee continues to plan its Youth Fair scheduled for Saturday, October 20, 2018 from 10 AM to 2 PM at BNIA. Ms. Wedderburn announced that due to space issues, the Youth and Education Committee will have a new home for at least the next three meetings. The next meeting will be held at the 77<sup>th</sup> Precinct located at 127 Utica Avenue, Brooklyn, at 7 PM sharp. The meeting will end promptly at 8 PM as per the request of the Commanding Officer of the 77<sup>th</sup>. All are invited to attend.

Ms. Granville thanked the committees for their reports and opened the floor for public comments and announcements.

**Mr. James Ellis**, Executive Director of the North Flatbush Avenue Business Improvement District, announced that with the efforts of the Community Board and elected officials, the BID was able to get the parking regulations as part of the “Clear Curbs Initiative” lifted on Flatbush Avenue. He stated that these regulations were severely hampering business on Flatbush Avenue. Also, he announced that the installation of the long-awaited street planters has begun. Installation should be completed entirely by September 14<sup>th</sup>.

**Ms. Crystal Hudson** from Majority Leader Cumbo’s office stated that the Participatory Budgeting process will be starting again this year. Additionally, neighborhood assemblies are being scheduled. They will be held on Monday, September 24, 2018 at Brooklyn Central Library, located at 10 Grand Army Plaza at 6:00 PM; Wednesday, September 26, 2018, at Friends of Crown Heights, 1491 Bedford Avenue, at 6:00 PM; and Monday, October 1, 2018, at Brooklyn Academy of Music, BAM Fisher, (Located in the Leavitt Workshop space), located at 321 Ashland Place at 6:00 PM. For more information, contact the Majority Leader’s office at 718-260-9191.

**Mr. Taiquan Coleman** from Assemblywoman Wright’s office announced that the Assemblywoman would be holding a 2-day Cannabis event on October 5<sup>th</sup> and 6<sup>th</sup> at Restoration Plaza, 1360 Fulton Street in the outdoor plaza (no rain contingency at the present time). There will be a panel presentation with a representative from District Attorney Gonzalez’s office, Mr. Prince Alexander from the Drug Policy Alliance, and the Assemblywoman on October 5<sup>th</sup> beginning at 6 PM and, immediately following the panel presentation, a film presentation of the film called “13<sup>th</sup>.” On October 6<sup>th</sup>, there will be several different events beginning at 10 AM throughout the main building at Restoration. For more information, contact the Assemblywoman’s office at 718-399-7630.

**Ms. Shakti Robinson** from Senator Montgomery’s office announced that the Governor signed into law the Construction Notification Bill. She thanked the Community Board District Office for e-blasting and promoting the last minute call to action, and she also distributed the press release. For more information, contact the Senator’s office at 718-643-6140.

**Mr. Lucien Allen** from Assemblyman Mosely’s office announced the next “Walk with Walter” event will be held on Wednesday, September 26, 2018 from Noon to 2 PM and the walk will encompass the area of Washington Avenue between Atlantic Avenue and Eastern Parkway. For more information, contact the Assemblyman’s office at 718-596-0100.

**Ms. Jamila Pringle-Fynes** announced that she is taking over as Brooklyn Borough Director for the Mayor’s Office Community Assistance Unit (CAU). If you have any unresolved city-related issues, she asked that you please call her at 212-788-1369.

**Mr. Eli Slavin** from Congresswoman Clarke’s office announced that the Congresswoman’s office has been inundated with many complaints from customers about Verizon as the company pushes forward to change from copper wire to fiber optics. He stated that Congresswoman Clarke wrote a letter to Verizon regarding its switch from copper lines to fiber optics in August, and that many constituents voiced concerns during their last Telephone Town Hall on July 31st regarding the switch. The current feedback is that constituents feel they have not been properly notified and some do not understand the parameters of the switch. The letter requested a meeting with Verizon to discuss how this transition impacts consumers and within a week Verizon



responded, answering constituent questions and expressing willingness to meet. If you have any questions on this matter or other issues, contact the Congresswoman's office at 718- 287-1142.

Ms. Granville thanked everyone for their announcements and reiterated how important participatory budgeting is. She stated that the lack of projects for this area is because people do not participate. If you want a project funded, you have to be a part of the process from the beginning. You only have to be interested in community and cognizant of what the community needs to participate. She encouraged members, civic organizations, and block associations to submit ideas for funding.

Thanking everyone for attending, Ms. Granville adjourned the meeting at 9:30 PM. The next meeting will be held on Thursday, October 11, 2018 at 7 PM at the Brooklyn Children's Museum located at 145 Brooklyn Avenue, Brooklyn. All are invited to attend.

### **Guests**

Lula Staton  
Harata Trahan  
Dorothy Jones  
Emma Bass  
Kenneth Pyle  
Juanita Davis  
Atiba Stevenson  
Dorothy Bembry-Guet  
Shirley Mondesir  
Sheila Savid  
Robyn Berland  
Bruno Dias  
Eylendy Diaz  
Aditya Prams  
Chelsea DeJesus  
Jay Datema  
Debra Smith  
John DeWind  
Yolanda Herrigan  
Bishop Guy Sansariq  
Dean George  
Clara Ha  
Katie Baker  
CoreyHoffman  
Olivia Radin  
Jennifer Waverek  
Laura Vogel  
A. MacLeod-Bluver  
Camille May  
Sarah Lazur  
Brandon Nadiq  
Shari Nonto  
Theron Hope