



COMMUNITY BOARD No. 1

435 GRAHAM AVENUE - BROOKLYN, NY 11211- 8813

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HON. ANTONIO REYNOSO
BROOKLYN BOROUGH PRESIDENT



SIMON WEISER
FIRST VICE-CHAIRMAN

DEL TEAGUE
SECOND VICE-CHAIRPERSON

GINA BARROS
THIRD VICE-CHAIRPERSON

DAVID HEIMLICH
FINANCIAL SECRETARY

SONIA IGLESIAS
RECORDING SECRETARY

PHILIP A. CAPONEGRO
MEMBER-AT-LARGE

DEALICE FULLER
CHAIRPERSON

JOHANA PULGARIN
DISTRICT MANAGER

HON. LINCOLN RESTLER
COUNCILMEMBER, 33rd CD

HON. JENNIFER GUTIERREZ
COUNCILMEMBER, 34th CD

REVISED

November 5, 2025

COMBINED PUBLIC HEARING
AND BOARD MEETING
211 AINSLIE STREET
OCTOBER 21, 2025

PUBLIC HEARING

ROLL CALL

The meeting was called to order at 6:05 PM by First Vice Chair Weiser. There were 28 members who answered the call.

- ~~1. **PRESENTATION AMERICAN RED CROSS:** The American Red Cross of Greater New York is actively recruiting engaged community leaders to join our team as a Community Relations Ambassador. This is a prestigious opportunity to volunteer with one of the leading disaster non-profits, and for your community members to use their skills for a great cause. Presenter: Nikodem Harrison Dupre, B.S. **10 Minutes**~~
2. **PRESENTATION PROJECT 20 BERRY STREET, APPLICATION # C240273ZSK, CEQR # 24DCP038K :** IN THE MATTER OF an application submitted by Mihata Corp. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-94 of the Zoning Resolution to allow an increase in the maximum permitted floor area in accordance with Section 74-943 (Permitted floor area increase) for a development occupied by Business-Enhancing uses and Incentive uses and, in conjunction therewith, to modify publicly accessible open space design requirements of Section 37-70 (PUBLIC PLAZAS), to modify the off-street parking requirements of Section 44-20 (REQUIRED ACCESSORY OFF-STREET PARKING SPACES), and to modify the loading berth requirements of Section 44-50 (OFF-STREET LOADING REGULATIONS), in connection with a proposed 10-story building within an Industrial Business Incentive Area*, on property located at 20 Berry Street (Block 2283, Lots 25, 28, 31, 33, 35, 38, 41 and 43), in an M1-2** District, Borough of Brooklyn, Community

District 1. Presenter, Diane Luebs, Planning and Development Specialist, GoldmanHarris LLC. **10 Minutes.**

3. **PRESENTATION APPLICATION # C260063PCY NEWTOWN CREEK COMBINED SEWER OVERFLOW (CSO) STORAGE TUNNEL PROJECT CEQR # 24DEP053Y: IN THE MATTER OF** an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for acquisition of properties listed and as specified below, Borough of Brooklyn, Community District 1 and Queens, Community Districts 2 and 5, and for site selection of such properties for a combined sewer overflow (CSO) retention system. Presenters: David Lee, Bureau of Environmental Planning & Analysis, Kate Edden, Bureau of Engineering Design and Construction, Drisana Hughes, Bureau of Public Affairs & Communication, Terrel Estes, Bureau of Environmental Planning & Analysis. DCAS Team: Shelton Getter, Assistant Director of Leasing and Acquisitions. **30 Minutes**

4. **PRESENTATION BSA CALENDAR # 2025-31-BZ,2025-32-A, 2025-33-A, 99 SUTTON STREET:** This variance application is submitted pursuant to Section 72-21 of the Zoning Resolution of the City of New York, as amended (the “Zoning Resolution” or “ZR”). The applicant seeks to legalize the existing four-story plus cellar residential building, which includes 10 dwelling units in the lower level, contrary to ZR §§ 42-10, 43-12, and 54-31, as well as HMC § 27-2082 and MDL § 34.6. Presenter, Mr. Jed Weiss, Sheldon Lobel, P.C. **10 Minutes**

5. **DOT DINING OUT NYC PERMIT APPLICATIONS**

1. Smor Bakery, 155 Powers St. App # 20250917030001

6. **LIQUOR LICENSES**

NEW

1. 175 Morgan Ave LLC, 173-175 Morgan Avenue, (Method of Operation, Liquor, Wine, Beer & Cider, Restaurant, Live Music, Patron Dancing, Garden/Grounds)
2. 76 Bushwick, LLC, DBA TFS Burger Works, 76 Bushwick Avenue, (New Application, Wine, Beer & Cider, Restaurant, Garden/Grounds)
3. 852 Club LLC, DBA The Collectors Bar, 305 Grand Street, (New Application & Temporary Retail Permit, Wine, Beer & Cider, Bar/Tavern)
4. 88 South 8th Inc, DBA Cibone House Dashi Okume, 50 Norman Avenue, (Class Change, Liquor, Wine, Beer & Cider, Restaurant)
5. Bbfufu Hospitality Inc., DBA Kelang, 715 Manhattan Avenue, (New Application & Temporary Retail Permit, Liquor, Wine, Beer & Cider, Restaurant)
6. Boil & Bite, Inc., 148 N 7th Street, (New Application & Temporary Retail Permit, Wine, Beer & Cider, Restaurant)

7. Born 99 LLC, DBA Kub Kao Restaurant, 988 Manhattan Avenue, (New Application & Temporary Retail Permit, Liquor, Wine, Beer & Cider, Restaurant)
8. Born to Lose, LLC, DBA Lise & Vito, 126A Nassau Avenue, (Alteration, Liquor, Wine, Beer & Cider, Bar/Tavern)
9. Casa Abuela Cafe LLC, DBA Casabuela Cafe, 232 Metropolitan Avenue, (New Application & Temporary Retail Permit, Liquor, Wine, Beer & Cider, Restaurant, Live Music: Occasional acoustic & percussion band, Patron Dancing, Leisure socializing with food, cocktails, Beer, Wine and Cider, Backyard)
10. Cornerstone Performance Inc, DBA BK Belly, 186 Scholes Street Store B, (New Application & Temporary Retail Permit, Liquor, Wine, Beer & Cider, Restaurant)
11. Cozy Royale LLC, DBA Cozy Royale, 434 Humboldt Street, (Corporate Change, Liquor, Wine, Beer & Cider, Restaurant)
12. Don Pancho Villa Restaurant LTD, 189 Borinquen Place, (All Night Permit)
13. F & Raw Studios LLC, 70 Scott Avenue, (All Night Permit)
14. Family Negocio LLC, 588 Grand Street, (Method of Operation, Liquor, Wine, Beer & Cider, Bar/Tavern)
15. Guisados Marias Corp., 1077 Flushing Avenue, (New Application & Temporary Retail Permit, Liquor, Wine, Beer & Cider, Restaurant)
16. Jonathan Erickson, DBA Idle Mind Tavern, 623 Manhattan Avenue, (New Application, Liquor, Wine, Beer & Cider, Bar/Tavern)
17. Kappa 90 LLC, DBA TBD, 90 South 4th Street, (New Application & Temporary Retail Permit, Liquor, Wine, Beer & Cider, Bar/Tavern)
18. N5 Blossom Inc, DBA The Blue Blossom, 135 N 5th Street, Store A, (New Application & Temporary Retail Permit, Wine, Beer & Cider, Restaurant)
19. Namdo Inc., DBA TBA, 639 Driggs Avenue, (New Application & Temporary Retail Permit, Wine, Beer & Cider, Restaurant)
20. Padel Haus Greenpoint LLC, DBA Padel Haus, 12 Berry Street, (New Application & Temporary Retail Permit, Liquor, Wine, Beer & Cider, Venue for Padel)
21. Regalis Events LLC, DBA TBD, 250 Johnson Avenue, (New Application & Temporary Retail Permit, Liquor, Wine, Beer & Cider, Restaurant)
22. Riam Foods LLC and Riam Realty LLC, DBA 42 Hotel, Blackbird, 428 South 5th Street, (New Application & Temporary Retail Permit, Liquor, Wine, Beer & Cider, Hotel License, Live Music: Jazz, acoustic, soft music)
23. Santa Chiara Greenpoint, Inc., 227 West Street, (New Application & Temporary Retail Permit, Liquor, Wine, Beer & Cider, Bar/Tavern, Patio or Deck)
24. Titi's Empanadas Inc, DBA Titi's Empanadas, 160 Havemeyer Ave S-4, (New Application & Temporary Retail Permit, Wine, Beer & Cider, Restaurant)
25. Trio Bravo LLC, DBA Wayne and Sons, 404 Wythe Avenue, (New Application & Temporary Retail Permit, Liquor, Wine, Beer & Cider, Restaurant, Patio or Deck)
26. Williamsburg Sushi Hayashi Inc, 227 Grand Street, Unit C1 a/k/a 225 Grand Street, (New Application, Wine, Beer & Cider, Restaurant)

RENEWAL

1. 135 Studio N ADR Inc., DBA Juliette, 135 North 5th Street, (Renewal, Liquor, Wine, Beer & Cider, Restaurant)
2. 227 Grand Corp., DBA Beats Karaoke & Belly Korean Bacon Shop, 227 Grand Street, (Renewal, Wine, Beer & Cider, Restaurant)
3. 3 Times 483 Inc, DBA 3 Times, 483 Grand Street, (Renewal, Liquor, Wine, Beer & Cider, Restaurant)
4. Ako Bedford Inc, 117 Berry Street, (Renewal, Liquor, Wine, Beer & Cider, Restaurant)
5. BK Noodles Inc, 280 Bedford Avenue, (Renewal, Wine, Beer & Cider, Restaurant)
6. Capri Social Club Inc, 156 Calyer Street, (Renewal, Liquor, Wine, Beer & Cider, Bar/Tavern)
7. Carroll Hall LLC, DBA Carroll Hall, 2 Vandervoort Pl, (Renewal, Liquor, Wine, Beer & Cider, Catering Facility (private events only), Live Music: Acoustic, Patron Dancing)
8. City Cafe Inc, DBA Fushimi Japanese Cuisine & Lounge, 475 Driggs Avenue Unit A, (Renewal, Liquor, Wine, Beer & Cider, Restaurant)
9. Coco River LLC, DBA Diances, 425 Graham Avenue, (Renewal, Liquor, Wine, Beer & Cider, Bar/Tavern)
10. Graham United Corp, DBA New Mexico Place, 189 Graham Avenue, (Renewal, Wine, Beer & Cider, Restaurant)
11. Indigo Williamsburg HM LLC & Valor Beverage Management LLC as Mgr, 500 Metropolitan Avenue, (Renewal, Hotel, Live Music: During cater events, Terrace, Pool)
12. Jomyga Enterprises LLC, DBA Oak and Iron, 147 Franklin Street, (Renewal, Liquor, Wine, Beer & Cider, Bar/Tavern)
13. Karczma Inc., 136 Greenpoint Avenue, (Renewal, Liquor, Wine, Beer & Cider, Restaurant)
14. Kettle Pie Inc, DBA Allswell, 124 Bedford Avenue, (Renewal, Liquor, Wine, Beer & Cider, Restaurant)
15. Manich Brothers LLC, DBA El Born, 651 Manhattan Avenue, (Renewal, Liquor, Wine, Beer & Cider, Restaurant)
16. Mizu Sushi NY Inc, DBA Dumont Burger So Pho 88, 314 Bedford Avenue, (Renewal, Liquor, Wine, Beer & Cider, Restaurant)
17. Motorino Broadway Inc., DBA Motorino Broadway, 139 Broadway, (Renewal, Liquor, Wine, Beer & Cider, Restaurant)
18. New Ako Restaurant Inc, 205 Bedford Avenue, (Renewal, Wine, Beer & Cider, Restaurant)
19. New York Distilling Company, LLC, DBA Jaywalker, 573 Johnson Avenue, (Renewal, Liquor, Wine, Beer & Cider, Bar/Tavern, Live Music: Occasional acoustic & jazz)

20. Painting Lounge LLC, 309 Roebling Street, (Renewal, Wine, Beer & Cider, Bar/Tavern, Paint & Sip Establishment)
21. Peanut Industries Inc, DBA Velvet Lounge, 174 Broadway, (Renewal, Liquor, Wine, Beer & Cider, Bar/Tavern)
22. Platinum Affairs LTD, DBA Continental Caterers, 75 Rutledge Street, (Renewal, Liquor, Wine, Beer & Cider, Catering Facility (private events only), Live Music: Acoustic, Jazz, Patron Dancing)
23. Quality Rockets Inc, DBA Hotel Delmano, 82 Berry Street AKA 120 N 9th Street, (Renewal, Liquor, Wine, Beer & Cider, Restaurant)
24. Red Rover BK LLC, DBA Red Rover, 928 Manhattan Avenue, (Renewal, Liquor, Wine, Beer & Cider, Bar/Tavern)
25. Redhouse BK LLC, DBA Kings Co Imperial, 22 Skillman Avenue, (Renewal, Liquor, Wine, Beer & Cider, Restaurant)
26. Selam, LLC, DBA Bersi Ethiopian Restaurant, 1049 Manhattan Avenue, (Renewal, Wine, Beer & Cider, Restaurant)
27. Silenth LLC, DBA Cafe Colette, 79 Berry Street, (Renewal, Liquor, Wine, Beer & Cider, Restaurant)
28. The 709 Lorimer St Rest Corp, DBA Pete's Candy Store, 709 Lorimer Street, (Renewal, Liquor, Wine, Beer & Cider, Bar/Tavern, Live Music: Bands)
29. The Second City New York, LLC, DBA The Second City, 64 North 9th Street, (Renewal, Liquor, Wine, Beer & Cider, Theater and Bar, Live Music: Live Acoustic Set Music, Comedy, Improv, & Sketch Performances)
30. The Snow White Group LLC, DBA Wins' Society Golf Club, 8 Berry Street, 4th Floor, (Renewal, Liquor, Wine, Beer & Cider, Restaurant)

7. CANNABIS LICENSES:

1. Mikhail Stoliarov, DBA Mikon LLC, 38 Meserole Street, Storefront Unit # CF, (Retail Dispensary)
2. Sean Lustberg, DBA Unite NY Cannabis LLC DBA Mottz Green Grocer, 269 Norman Avenue, (Retail Dispensary)

BOARD MEETING

MOMENT OF SILENCE- First Vice-Chair Weiser called for a moment of silence. Dedicated to Chair Dealice Fuller's brother.

ROLL CALL – Vice-Chair Weiser requested a roll call 37 Members answered the call at 7:47 pm.

APPROVAL OF THE AGENDA- First Vice Chair Weiser requested approval of the agenda. Motion made by Mr. Bruzaitis and seconded by Ms. Kaminski. The agenda was approved by all the members present.

APPROVAL OF THE MINUTES –Vice-Chair Weiser requested approval of the minutes from September 9, 2025.

Motion made by Ms. Cabrera. and seconded by Mr. Dennis. The Minutes of September 9, 2025, Board meeting were approved by the members present.

PUBLIC SESSION (Reserved for the Public’s expression. Board Members will not be allowed to speak). Each scheduled participant for this session will have an allowance of two (2) minutes.

Paul Samulski: From North Brooklyn Chamber of Commerce, spoke in favor of 20 Berry Street, application C240273ZSK.

Leah Archibald: From evergreen, spoke in favor of 20 Berry Street, application C240273ZSK.

Kenneth Blumberg: From Feldman Metropolitan Realty LLC, spoke about CSO Storage Tunnel Project.

Katie Van Laelce: Spoke in favor of SLA applicant Trio Bravo LLC, DBA Wayne and Sons, 404 Wythe Avenue.

Kory Merten: Spoke in favor of SLA applicant Trio Bravo LLC, DBA Wayne and Sons, 404 Wythe Avenue.

Collette Mourier: Spoke in favor of SLA applicant Trio Bravo LLC, DBA Wayne and Sons, 404 Wythe Avenue.

Bethany Kattwinkel: Spoke in favor of SLA applicant Trio Bravo LLC, DBA Wayne and Sons, 404 Wythe Avenue.

Catherine Everett: Spoke in favor of SLA applicant Trio Bravo LLC, DBA Wayne and Sons, 404 Wythe Avenue.

Joseph Tenney: Spoke in favor of SLA applicant Trio Bravo LLC, DBA Wayne and Sons, 404 Wythe Avenue.

Catherine Sprouls: Spoke in favor of SLA applicant Trio Bravo LLC, DBA Wayne and Sons, 404 Wythe Avenue.

Jonathan Ericson: Spoke in favor of SLA applicant GPP Hospitality LLC, Greenpoint Public House, 623 Manhattan Ave. and the 4 am license.

Marshall Saroviec: Spoke in favor of SLA applicant Trio Bravo LLC, DBA Wayne and Sons, 404 Wythe Avenue.

Jesse Giles: Spoke in favor of SLA applicant Trio Bravo LLC, DBA Wayne and Sons, 404 Wythe Avenue.

Dallas Gonzalez: Spoke in favor of SLA applicant Trio Bravo LLC, DBA Wayne and Sons, 404 Wythe Avenue.

Crisel Cruz: Spoke against SLA applicants at 175 Morgan Ave., 76 Bushwick Ave., 305 Grand St., 50 Norman Ave., 715 Manhattan Ave., 186 Schole St., 434 Humboldt St., 250 Johnson Ave., 277 Grand St., 189 Borinquen Pl., 232 Metropolitan Ave., 980 Manhattan Ave., SLA renewals: 270 Grand St., 573 Johnson Ave., 139 Broadway, 22 skillman Ave., 425 Graham Ave. Cannabis License: 38 Meserole St.

Chris Jana: Spoke in favor of SLA applicant Trio Bravo LLC, DBA Wayne and Sons, 404 Wythe Avenue.

Jane Pool: Spoke about the North Brooklyn Sexual Assault Task Force for the CB1 District.

Sherri Royes: Spoke about the dog urine in CB1 public areas and request for enforcement. And asked what are the rules and regulations for dog's urine.

Glen Aaron: Resident From Williamsburg Houses thanked CB1 for the commitment with Williamsburg Houses.

COMMITTEE REPORTS

CAPITAL BUDGET COMMITTEE – Ms. Gina Barros. Committee Chair Report as written.

- Ms. Barros requested a motion: To approve the New District Needs Request Items added to the Statement of Community District Needs Request for FY 2027, and to include into the District Needs the Health Department request.
A motion was made by Ms. Kaminski and seconded by Rabbi Niederman.

The vote was 36 “Yes”, 1 “No”, 0 “ABSTENTIONS”; 0 “RECUSALS”.

Motion Carried.

SLA REVIEW COMMITTEE – Mr. Arthur Dybanowski, Committee Chair, report as written.

- Mr. Dybanowski requested a motion: to approve report as written.
A motion was made by Mr. Brooks and seconded by Mr. Dennis.

The vote was 36 “Yes”, 0 “No”, 0 “ABSTENTIONS”; 0 “RECUSALS”.

Motion Carried.

CANNABIS REVIEW COMMITTEE – Mr. William Vega, Committee Chair, report as written.

- Mr. Vega requested a motion: To approve report as written.
A motion was made by Mr. Isaacs and seconded by Mr. Bruzaitis.

The vote was 36 “Yes”, 0 “No”, 0 “ABSTENTIONS”; 0 “RECUSALS”.

Motion Carried.

JOINT ENVIRONMENTAL PROTECTION, HOUSING & PUBLIC HOUSING AND PUBLIC SAFETY & HUMAN SERVICES COMMITTEES: - Mr. Stephen Chesler Environmental Committee Chair, report as written.

- Mr. Chesler requested a motion: to recommend the board write a letter to the NY State Office of the Attorney General to investigate reported potentially deceptive and illegal practices at the NYCHA Williamsburg Houses with the implementation of RAD/PACT residential rent agreements and charging tenants severe and frequent rent increases, and potential misconduct regarding asbestos and lead removal, boiler maintenance & functionality, sewer maintenance and maintenance on the potable water system.
A motion was made by Ms. Cabrera and seconded by Ms. LaBorde.

The vote was 36 “Yes”, 0 “No”, 0 “ABSTENTIONS”; 0 “RECUSALS”.

Motion Carried.

ENVIRONMENTAL PROTECTION COMMITTEE:- Mr. Stephen Chesler Environmental Committee Chair, report as written.

- Mr. Chesler requested a motion: to recommend the board support the residents of Brooklyn Community District #1 by sending a letter to NYSDEC stating if Green Asphalt is unable to remedy violations and resolution requests issued by DEC by December 11th, 2005, DEC should revoke their permit to operation this facility in its current location.
A motion was made by Ms. Kaminski and seconded by Mr. Pferd.

The vote was 37 “Yes”, 0 “No”, 0 “ABSTENTIONS”; 0 “RECUSALS”.

Motion Carried.

LANDMARKS [SUBCOMMITTEE]:- Mr. Stephen Chesler Environmental Committee Chair, report as written.

- Mr. Chesler requested a motion: To recommend the board approve the renovation design for 113 Noble Street with conditions:
 - Reconsider again the rooftop screening structure, as the revised metal planter is still greatly out of historic character.
 - Ensure compatibility with LPC guidelines for rear extension heightA motion was made by Ms. Teague and seconded by Ms. Kaminski.

The vote was 37 “Yes”, 0 “No”, 0 “ABSTENTIONS”; 0 “RECUSALS”.

Motion Carried.

PARKS & WATERFRONTS COMMITTEE – Mr. Phillip Caponegro, Committee Chair, report as written

- Mr. Caponegro requested a motion: to approve renaming of the McCarren Park Softball Field #2 in honor of Ronnie Ortiz Jr.
A motion was made by Ms. Teague and seconded by Mr. Itzkowitz.

The vote was 37 “Yes”, 0 “No”, 1 “ABSTENTIONS”; 0 “RECUSALS”.

Motion Carried.

- Mr. Caponegro requested a motion: to support the design for American Playground.
A motion was made by Mr. Vega and seconded by Ms. LaBorde.

The vote was 37 “Yes”, 0 “No”, 1 “ABSTENTIONS”; 0 “RECUSALS”.

Motion Carried.

TRANSPORTATION COMMITTEE – Mr. Eric Bruzaitis, Committee Chair, report as written

- Mr. Bruzaitis requested a motion: Community Board 1 to write a letter of no objection to the Taxi & Limousine Commission to renew the Base License #B01306 for RND Transportation Inc.
A motion was made by Mr. Vega and seconded by Ms. Drinkwater.

The vote was 37 “Yes”, 0 “No”, 0 “ABSTENTIONS”; 0 “RECUSALS”.

Motion Carried.

- Mr. Bruzaitis requested a motion: Community Board 1 to write our standard fatality inquiry letter to NYPD Highway Patrol, 90th Precinct, Council Member Gutierrez &

Brooklyn District Attorney Gonzalez regarding the incident August 6th, 2025 near the intersection of Maspeth and Morgan Avenues.

A motion was made by Mr. Vega and seconded by Ms. Drinkwater.

The vote was 37 “Yes”, 0 “No”, 0 “ABSTENTIONS”; 0 “RECUSALS”.

Motion Carried.

LAND USE, ULURP AND LANDMARKS COMMITTEE – Ms. Del Teague, Committee Chair, report as written.

- Ms. Teague requested a motion: to approve the application McDonalds, 710 BROADWAY, BSA CAL # 2025-15-BZ with the following conditions: 1- Confirmation that there will be ample indoor seating to accommodate current community needs; 2- Confirmation that traffic backup will not increase; 3- Confirmation that there will be ample space between the bike racks to accommodate delivery bikes; 4- Confirmation that there is no anticipated loss of community jobs; and 5- The applicant will provide landscaping where possible.

A motion was made by Mr. Bruzaitis and seconded by Mr. Isaacs.

The vote was 35 “Yes”, 0 “No”, 2 “ABSTENTIONS”; 0 “RECUSALS”.

Motion Carried.

PUBLIC SAFETY & HUMAN SERVICES COMMITTEE – Mr. Lloyd Feng, Committee Chair, report as written

- Mr. Feng requested a motion: to send a letter to Rep. Nydia Velazquez and the entire NY congressional delegation to recommend that they support Rep. Tom Suozzi’s House bill to commemorate September 11 as a federal holiday.

A motion was made by Ms. Kaminski and seconded by Ms. Teague.

The vote was 37 “Yes”, 0 “No”, 0 “ABSTENTIONS”; 0 “RECUSALS”.

Motion Carried.

CHAIRPERSON’S REPORT – As written.

FIRST VICE-CHAIR’S REPORT – As Written.

DISTRICT MANAGER’S REPORT – As written.

PARKS DEPARTMENT MINUTE – No report was submitted.

ANNOUNCEMENTS: ELECTED OFFICIALS

Council Member District 33, Hon. Lincoln Restler: Provided an update.

Juan Mayancela, Community Organizer from Council Member's Office Jennifer Gutierrez, provided an update.

Bruno Daniel, Community Board 1 Liaison from Brooklyn Borough President's Office - provided an update.

OLD BUSINESS- No old business

NEW BUSINESS:

- Mr. Caponegro requested a motion: CB1 to send a letter to the elected officials asking for emergency funding for Metropolitan Pool.
A motion was made by Mr. Vega and seconded by Ms. LaBorde

The vote was 37 "Yes", 0 "No", 1 "ABSTENTIONS"; 0 "RECUSALS".

Motion Carried.

ADJOURNMENT

The meeting was adjourned at 9:25 pm.



COMMUNITY BOARD No. 1

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HON. JENNIFER GUTIERREZ
COUNCILMEMBER, 34th CD

October 7, 2025

COMBINED PUBLIC HEARING AND BOARD MEETING NOTICE

TO: Community Board Members and Residents
FROM: Dealice Fuller, Chairperson
RE: Scheduled Combined Public Hearing and Board Meeting
(26 members constitute a quorum for the Board)

**FOR YOUR SAFETY AND THE SAFETY OF OTHER MASKS ARE ENCOURAGED
BEFORE ENTERING THE MEETING.**

Please be advised that a Combined Public Hearing and Board Meeting of Brooklyn Community Board No. 1 will be held as follows:

WHEN: TUESDAY --- OCTOBER 21, 2025
TIME: *** 6:00 PM ***
WHERE: SWINGING SIXTIES SENIOR CENTER
211 AINSLIE STREET
BROOKLYN, NY 11211
(CORNER OF MANHATTAN AVENUE)

**NOTE TO ALL SPEAKERS: THOSE WHO WISH TO SPEAK DURING THE PUBLIC
SESSION MUST SIGN AND SUBMIT THEIR SPEAKER FORM FROM 5:45 PM-6:15
PM NO LATER THAN 6:15 PM.**

PUBLIC HEARING

AGENDA

1. **PRESENTATION AMERICAN RED CROSS:** The American Red Cross of Greater New York is actively recruiting engaged community leaders to join our team as a Community Relations Ambassador. This is a prestigious opportunity to volunteer with one

of the leading disaster non-profits, and for your community members to use their skills for a great cause. Presenter: Nikodem Harrison Dupre, B.S. **10 Minutes**

2. **PRESENTATION PROJECT 20 BERRY STREET, APPLICATION # C240273ZSK, CEQR # 24DCP038K :** **N THE MATTER OF** an application submitted by Mihata Corp. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-94 of the Zoning Resolution to allow an increase in the maximum permitted floor area in accordance with Section 74-943 (Permitted floor area increase) for a development occupied by Business-Enhancing uses and Incentive uses and, in conjunction therewith, to modify publicly accessible open space design requirements of Section 37-70 (PUBLIC PLAZAS), to modify the off-street parking requirements of Section 44-20 (REQUIRED ACCESSORY OFF-STREET PARKING SPACES), and to modify the loading berth requirements of Section 44-50 (OFF-STREET LOADING REGULATIONS), in connection with a proposed 10-story building within an Industrial Business Incentive Area*, on property located at 20 Berry Street (Block 2283, Lots 25, 28, 31, 33, 35, 38, 41 and 43), in an M1-2** District, Borough of Brooklyn, Community District 1. Presenter, Diane Luebs, Planning and Development Specialist, GoldmanHarris LLC. **10 Minutes**.
3. **PRESENTATION APPLICATION # C260063PCY NEWTOWN CREEK COMBINED SEWER OVERFLOW (CSO) STORAGE TUNNEL PROJECT CEQR # 24DEP053Y:** **IN THE MATTER OF** an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for acquisition of properties listed and as specified below, Borough of Brooklyn, Community District 1 and Queens, Community Districts 2 and 5, and for site selection of such properties for a combined sewer overflow (CSO) retention system. Presenters: David Lee, Bureau of Environmental Planning & Analysis, Kate Edden, Bureau of Engineering Design and Construction, Drisana Hughes, Bureau of Public Affairs & Communication, Terrel Estes, Bureau of Environmental Planning & Analysis. DCAS Team: Shelton Getter, Assistant Director of Leasing and Acquisitions. **30 Minutes**
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5. **DOT DINING OUT NYC PERMIT APPLICATIONS**
 1. Smor Bakery, 155 Powers St. App # 20250917030001
6. **LIQUOR LICENSES**

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3. 852 Club LLC, DBA The Collectors Bar, 305 Grand Street, (New Application & Temporary Retail Permit, Wine, Beer & Cider, Bar/Tavern)
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7. Born 99 LLC, DBA Kub Kao Restaurant, 988 Manhattan Avenue, (New Application & Temporary Retail Permit, Liquor, Wine, Beer & Cider, Restaurant)
8. Born to Lose, LLC, DBA Lise & Vito, 126A Nassau Avenue, (Alteration, Liquor, Wine, Beer & Cider, Bar/Tavern)
9. Casa Abuela Cafe LLC, DBA Casabuela Cafe, 232 Metropolitan Avenue, (New Application & Temporary Retail Permit, Liquor, Wine, Beer & Cider, Restaurant, Live Music: Occasional acoustic & percussion band, Patron Dancing, Leisure socializing with food, cocktails, Beer, Wine and Cider, Backyard)
10. Cornerstone Performance Inc, DBA BK Belly, 186 Scholes Street Store B, (New Application & Temporary Retail Permit, Liquor, Wine, Beer & Cider, Restaurant)
11. Cozy Royale LLC, DBA Cozy Royale, 434 Humboldt Street, (Corporate Change, Liquor, Wine, Beer & Cider, Restaurant)
12. Don Pancho Villa Restaurant LTD, 189 Borinquen Place, (All Night Permit)
13. F & Raw Studios LLC, 70 Scott Avenue, (All Night Permit)
14. Family Negocio LLC, 588 Grand Street, (Method of Operation, Liquor, Wine, Beer & Cider, Bar/Tavern)
15. Guisados Marias Corp., 1077 Flushing Avenue, (New Application & Temporary Retail Permit, Liquor, Wine, Beer & Cider, Restaurant)
16. Jonathan Erickson, DBA Idle Mind Tavern, 623 Manhattan Avenue, (New Application, Liquor, Wine, Beer & Cider, Bar/Tavern)
17. Kappa 90 LLC, DBA TBD, 90 South 4th Street, (New Application & Temporary Retail Permit, Liquor, Wine, Beer & Cider, Bar/Tavern)
18. N5 Blossom Inc, DBA The Blue Blossom, 135 N 5th Street, Store A, (New Application & Temporary Retail Permit, Wine, Beer & Cider, Restaurant)
19. Namdo Inc., DBA TBA, 639 Driggs Avenue, (New Application & Temporary Retail Permit, Wine, Beer & Cider, Restaurant)
20. Padel Haus Greenpoint LLC, DBA Padel Haus, 12 Berry Street, (New Application & Temporary Retail Permit, Liquor, Wine, Beer & Cider, Venue for Padel)

21. Regalis Events LLC, DBA TBD, 250 Johnson Avenue, (New Application & Temporary Retail Permit, Liquor, Wine, Beer & Cider, Restaurant)
22. Riam Foods LLC and Riam Realty LLC, DBA 42 Hotel, Blackbird, 428 South 5th Street, (New Application & Temporary Retail Permit, Liquor, Wine, Beer & Cider, Hotel License, Live Music: Jazz, acoustic, soft music)
23. Santa Chiara Greenpoint, Inc., 227 West Street, (New Application & Temporary Retail Permit, Liquor, Wine, Beer & Cider, Bar/Tavern, Patio or Deck)
24. Titi's Empanadas Inc, DBA Titi's Empanadas, 160 Havemeyer Ave S-4, (New Application & Temporary Retail Permit, Wine, Beer & Cider, Restaurant)
25. Trio Bravo LLC, DBA Wayne and Sons, 404 Wythe Avenue, (New Application & Temporary Retail Permit, Liquor, Wine, Beer & Cider, Restaurant, Patio or Deck)
26. Williamsburg Sushi Hayashi Inc, 227 Grand Street, Unit C1 a/k/a 225 Grand Street, (New Application, Wine, Beer & Cider, Restaurant)

RENEWAL

1. 135 Studio N ADR Inc., DBA Juliette, 135 North 5th Street, (Renewal, Liquor, Wine, Beer & Cider, Restaurant)
2. 227 Grand Corp., DBA Beats Karaoke & Belly Korean Bacon Shop, 227 Grand Street, (Renewal, Wine, Beer & Cider, Restaurant)
3. 3 Times 483 Inc, DBA 3 Times, 483 Grand Street, (Renewal, Liquor, Wine, Beer & Cider, Restaurant)
4. Ako Bedford Inc, 117 Berry Street, (Renewal, Liquor, Wine, Beer & Cider, Restaurant)
5. BK Noodles Inc, 280 Bedford Avenue, (Renewal, Wine, Beer & Cider, Restaurant)
6. Capri Social Club Inc, 156 Calyer Street, (Renewal, Liquor, Wine, Beer & Cider, Bar/Tavern)
7. Carroll Hall LLC, DBA Carroll Hall, 2 Vandervoort Pl, (Renewal, Liquor, Wine, Beer & Cider, Catering Facility (private events only), Live Music: Acoustic, Patron Dancing)
8. City Cafe Inc, DBA Fushimi Japanese Cuisine & Lounge, 475 Driggs Avenue Unit A, (Renewal, Liquor, Wine, Beer & Cider, Restaurant)
9. Coco River LLC, DBA Dianas, 425 Graham Avenue, (Renewal, Liquor, Wine, Beer & Cider, Bar/Tavern)
10. Graham United Corp, DBA New Mexico Place, 189 Graham Avenue, (Renewal, Wine, Beer & Cider, Restaurant)
11. Indigo Williamsburg HM LLC & Valor Beverage Management LLC as Mgr, 500 Metropolitan Avenue, (Renewal, Hotel, Live Music: During cater events, Terrace, Pool)
12. Jomyga Enterprises LLC, DBA Oak and Iron, 147 Franklin Street, (Renewal, Liquor, Wine, Beer & Cider, Bar/Tavern)
13. Karczma Inc., 136 Greenpoint Avenue, (Renewal, Liquor, Wine, Beer & Cider, Restaurant)

14. Kettle Pie Inc, DBA Allswell, 124 Bedford Avenue, (Renewal, Liquor, Wine, Beer & Cider, Restaurant)
15. Manich Brothers LLC, DBA El Born, 651 Manhattan Avenue, (Renewal, Liquor, Wine, Beer & Cider, Restaurant)
16. Mizu Sushi NY Inc, DBA Dumont Burger So Pho 88, 314 Bedford Avenue, (Renewal, Liquor, Wine, Beer & Cider, Restaurant)
17. Motorino Broadway Inc., DBA Motorino Broadway, 139 Broadway, (Renewal, Liquor, Wine, Beer & Cider, Restaurant)
18. New Ako Restaurant Inc, 205 Bedford Avenue, (Renewal, Wine, Beer & Cider, Restaurant)
19. New York Distilling Company, LLC, DBA Jaywalker, 573 Johnson Avenue, (Renewal, Liquor, Wine, Beer & Cider, Bar/Tavern, Live Music: Occasional acoustic & jazz)
20. Painting Lounge LLC, 309 Roebling Street, (Renewal, Wine, Beer & Cider, Bar/Tavern, Paint & Sip Establishment)
21. Peanut Industries Inc, DBA Velvet Lounge, 174 Broadway, (Renewal, Liquor, Wine, Beer & Cider, Bar/Tavern)
22. Platinum Affairs LTD, DBA Continental Caterers, 75 Rutledge Street, (Renewal, Liquor, Wine, Beer & Cider, Catering Facility (private events only), Live Music: Acoustic, Jazz, Patron Dancing)
23. Quality Rockets Inc, DBA Hotel Delmano, 82 Berry Street AKA 120 N 9th Street, (Renewal, Liquor, Wine, Beer & Cider, Restaurant)
24. Red Rover BK LLC, DBA Red Rover, 928 Manhattan Avenue, (Renewal, Liquor, Wine, Beer & Cider, Bar/Tavern)
25. Redhouse BK LLC, DBA Kings Co Imperial, 22 Skillman Avenue, (Renewal, Liquor, Wine, Beer & Cider, Restaurant)
26. Selam, LLC, DBA Bersi Ethiopian Restaurant, 1049 Manhattan Avenue, (Renewal, Wine, Beer & Cider, Restaurant)
27. Silenth LLC, DBA Cafe Colette, 79 Berry Street, (Renewal, Liquor, Wine, Beer & Cider, Restaurant)
28. The 709 Lorimer St Rest Corp, DBA Pete's Candy Store, 709 Lorimer Street, (Renewal, Liquor, Wine, Beer & Cider, Bar/Tavern, Live Music: Bands)
29. The Second City New York, LLC, DBA The Second City, 64 North 9th Street, (Renewal, Liquor, Wine, Beer & Cider, Theater and Bar, Live Music: Live Acoustic Set Music, Comedy, Improv, & Sketch Performances)
30. The Snow White Group LLC, DBA Wins' Society Golf Club, 8 Berry Street, 4th Floor, (Renewal, Liquor, Wine, Beer & Cider, Restaurant)

7. CANNABIS LICENSES:

1. Mikhail Stoliarov, DBA Mikon LLC, 38 Meserole Street, Storefront Unit # CF, (Retail Dispensary)
2. Sean Lustberg, DBA Unite NY Cannabis LLC DBA Mottz Green Grocer, 269 Norman Avenue, (Retail Dispensary)

BOARD MEETING

MOMENT OF SILENCE

ROLL CALL

APPROVAL OF THE AGENDA

APPROVAL OF THE MINUTES – Combined Public Hearing and Board Meeting of September 9, 2025

PUBLIC SESSION – Reserved for the Public’s expression. Board Members will not be allowed to speak. (NOTE: All persons who wish to speak during this portion of the meeting must **REGISTER IN PERSON** between **5:45 PM – 6:15 PM**, **NO** later than **6:15 PM**) Each scheduled participant for this session will have an allowance of two (2) minutes [time permitting]. (No questions will be entertained. Speakers are requested to submit their testimony in writing.)

COMMITTEE REPORTS

CHAIRPERSON’S REPORT – As written.

VICE-FIRST CHAIR’S REPORT – As written.

DISTRICT MANAGER’S REPORT – As written.

PARKS REPORT – As written

ANNOUNCEMENTS: ELECTED OFFICIALS

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

Note: For further information on accessibility or to make a request for accommodation, such as sign language interpretation services, please contact Brooklyn Community Board No. 1, Tel. (718) 389-0009; at least (5) business days in advance to ensure availability.



COMMUNITY BOARD NO. 1

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ATTENDANCE SHEET

(26 Members Constitute a Quorum for the Board Meeting & Public Hearing)

DATE: 10-21-2025

BOARD MEETING AND PUBLIC HEARING

KARINA AGUILAR	SONIA IGLESIAS
BOGDAN BACHOROWSKI	MOISHE INDIG
LISA BAMONTE	MATTHEW ISAACS
GINA BARROS	JACOB ITZKOWITZ
TEON BROOKS	ROBERT JEFFERY
ERIC BRUZAITIS	BOZENA KAMINSKI
IRIS CABRERA	CAITLIN KAWAGUCHI
PHILIP CAPONEGRO	PAUL KELTERBORN
FRANK CARBONE	WILLIAM KLAGSBALD
STEPHEN CHESLER	MERYL LABORDE
GIOVANNI D'AMATO	MARIE LEANZA
WARD DENNIS	YAMILLETTE LEBRON
ERIN DRINKWATER	JODIE LOVE
MIGUELINA DURAN	MICHAL MROWIEC
ARTHUR DYBANOWSKI	RABBI DAVID NIEDERMAN
ROSEMARY ESPINAL	JANICE PETERSON
LLOYD FENG	AUSTIN PFERD
JULIA AMANDA FOSTER	BELLA SABEL
RIFKA FRIEDMAN	ISAAC SOFER
DEALICE FULLER	SAMEER TALATI
JOEL GOLDSTEIN	DEL TEAGUE
JOEL GROSS	ALBERTO VALENTIN
DAVID HEIMLICH	RAFFAELLO VANCOUTEN
LARISSA HO	WILLIAM VEGA
KATIE DENNY HOROWITZ	SIMON WEISER

Council Member
Lincoln Restler

Council Member
Jennifer Gutierrez

DATE: OCTOBER 21, 2025

COMBINED BOARD MEETING

	NAME	ROLL CALL 1ST	ROLL CALL 2ND	ROLL CALL 3RD	ROLL CALL 4TH	ROLL CALL 5TH
1	KARINA AGUILAR		X			
2	BOGDAN BACHOROWSKI	X	X			
3	LISA BAMONTE	X	X			
4	GINA BARROS	X	X			
5	TEON BROOKS	X	X			
6	ERIC BRUZAITIS	X	X			
7	IRIS CABRERA	X	X			
8	PHILIP CAPONEGRO	X	X			
9	FRANK CARBONE	X	X			
10	STEPHEN CHESLER	X	X			
11	GIOVANNI D'AMATO	X	X			
12	WARD DENNIS	X	X			
13	ERIN DRINKWATER	X	X			
14	MIGUELINA DURAN		X			
15	ARTHUR DYBANOWSKI	X	X			
16	ROSEMARY ESPINAL	X	X			
17	LLOYD FENG		X			
18	JULIA AMANDA FOSTER					
19	RIFKA FRIEDMAN	X	X			
20	DEALICE FULLER					
21	JOEL GOLDSTEIN					
22	JOEL GROSS					
23	DAVID HEIMLICH		X			
24	LARISSA HO	X				
25	KATIE DENNY HOROWITZ		X			
26	SONIA IGLESIAS					
27	MOISHE INDIG					
28	MATTHEW ISAACS	X	X			
29	JACOB ITZKOWITZ		X			
30	ROBERT JEFFERY		X			
31	BOZENA KAMINSKI	X	X			
32	CAITLIN KAWAGUCHI					
33	PAUL KELTERBORN	X	X			
34	WILLIAM KLAGSBALD		X			
35	MERYL LABORDE		X			
36	MARIE LEANZA	X	X			
37	YAMILLETTE LEBRON					
38	JODIE LOVE	X	X			
39	MICHAL MROWIEC					
40	RABBI DAVID NIEDERMAN		X			
41	JANICE PETERSON	X	X			
42	AUSTIN PFERD	X	X			
43	BELLA SABEL	X	X			
44	ISAAC SOFER					
45	SAMEER TALATI					
46	DEL TEAGUE	X	X			
47	ALBERTO VALENTIN	X	X			
48	RAFFAELLO VAN COUTEN					
49	WILLIAM VEGA	X	X			
50	SIMON WEISER	X	X			
	TOTAL:	28	37	0	0	0
	TIME:	6:05 PM	7:47 PM			



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CAPITAL BUDGET COMMITTEE MOTION: to approve the New District Needs Request Items added to the Statement of Community District Needs Request for FY 2027. And to include the Health Department request

Motion made by: Ms. Kaminski
Seconded by: Rabbi Niederman

DATE: 10/21/2025

	YES	NO	ABS	REC		YES	NO	ABS	REC
KARINA AGUILAR	✓				SONIA IGLESIAS				
BOGDAN BACHOROWSKI	✓				MOISHE INDIG				
LISA BAMONTE	✓				MATTHEW ISAACS	✓			
GINA BARROS	✓				JACOB ITZKOWITZ	✓			
TEON BROOKS	✓				ROBERT JEFFERY	✓			
ERIC BRUZAITIS	✓				BOZENA KAMINSKI	✓			
IRIS CABRERA	✓				CAITLIN KAWAGUCHI				
PHILIP CAPONEGRO	✓				PAUL KELTERBORN	✓			
FRANK CARBONE					WILLIAM KLAGSBALD	✓			
STEPHEN CHESLER	✓				MERYL LABORDE	✓			
GIOVANNI D'AMATO	✓				MARIE LEANZA	✓			
WARD DENNIS	✓				YAMILLETTE LEBRON				
ERIN DRINKWATER	✓				JODIE LOVE	✓			
MIGUELINA DURAN	✓				MICHAL MROWIEC				
ARTHUR DYBANOWSKI	✓				RABBI DAVID NIEDERMAN	✓			
ROSEMARY ESPINAL	✓				JANICE PETERSON	✓			
LLOYD FENG	✓				AUSTIN PFERD	✓			
JULIA AMANDA FOSTER					BELLA SABEL	✓			
RIFKA FRIEDMAN	✓				ISAAC SOFER	✓			
DEALICE FULLER					SAMEER TALATI				
JOEL GOLDSTEIN					DEL TEAGUE	✓			
JOEL GROSS					ALBERTO VALENTIN	✓			
DAVID HEIMLICH	✓				RAFFAELLO VAN COUTEN				
LARISSA HO					WILLIAM VEGA		✓		
KATIE DENNY HOROWITZ	✓				SIMON WEISER	✓			

TIME: 8:28 TALLY: 36 YES 1 NO 0 ABS 0 RECUSAL



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SLA REVIEW AND DCA COMMITTEE MOTION: To approve report as written

Motion made by: Mr. Brooks

Seconded by: Mr. Dennis

DATE: 10/21/2025

	YES	NO	ABS	REC		YES	NO	ABS	REC
KARINA AGUILAR	✓				SONIA IGLESIAS				
BOGDAN BACHOROWSKI	✓				MOISHE INDIG				
LISA BAMONTE	✓				MATTHEW ISAACS	✓			
GINA BARROS	✓				JACOB ITZKOWITZ	✓			
TEON BROOKS	✓				ROBERT JEFFERY	✓			
ERIC BRUZAITIS	✓				BOZENA KAMINSKI	✓			
IRIS CABRERA	✓				CAITLIN KAWAGUCHI				
PHILIP CAPONEGRO	✓				PAUL KELTERBORN	✓			
FRANK CARBONE	✓				WILLIAM KLAGSBALD	✓			
STEPHEN CHESLER	✓				MERYL LABORDE	✓			
GIOVANNI D'AMATO	✓				MARIE LEANZA	✓			
WARD DENNIS	✓				YAMILLETTE LEBRON				
ERIN DRINKWATER	✓				JODIE LOVE	✓			
MIGUELINA DURAN	✓				MICHAL MROWIEC				
ARTHUR DYBANOWSKI	✓				RABBI DAVID NIEDERMAN				
ROSEMARY ESPINAL	✓				JANICE PETERSON	✓			
LLOYD FENG	✓				AUSTIN PFERD	✓			
JULIA AMANDA FOSTER					BELLA SABEL	✓			
RIFKA FRIEDMAN	✓				ISAAC SOFER				
DEALICE FULLER					SAMEER TALATI				
JOEL GOLDSTEIN					DEL TEAGUE	✓			
JOEL GROSS					ALBERTO VALENTIN	✓			
DAVID HEIMLICH	✓				RAFFAELLO VAN COUTEN				
LARISSA HO					WILLIAM VEGA	✓			
KATIE DENNY HOROWITZ	✓				SIMON WEISER	✓			

TIME: _____

TALLY: 36 YES 0 NO 0 ABS 0 RECUSAL



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CANNABIS REVIEW COMMITTEE MOTION: To approve report as written

Motion made by: Mr. Isaacs

Seconded by: Mr. Bruzaitis

DATE: 10/21/2025

	YES	NO	ABS	REC		YES	NO	ABS	REC
KARINA AGUILAR	✓				SONIA IGLESIAS				
BOGDAN BACHOROWSKI	✓				MOISHE INDIG				
LISA BAMONTE	✓				MATTHEW ISAACS	✓			
GINA BARROS	✓				JACOB ITZKOWITZ	✓			
TEON BROOKS	✓				ROBERT JEFFERY	✓			
ERIC BRUZAITIS	✓				BOZENA KAMINSKI	✓			
IRIS CABRERA	✓				CAITLIN KAWAGUCHI				
PHILIP CAPONEGRO	✓				PAUL KELTERBORN	✓			
FRANK CARBONE	✓				WILLIAM KLAGSBALD	✓			
STEPHEN CHESLER	✓				MERYL LABORDE	✓			
GIOVANNI D'AMATO	✓				MARIE LEANZA	✓			
WARD DENNIS	✓				YAMILLETTE LEBRON				
ERIN DRINKWATER	✓				JODIE LOVE	✓			
MIGUELINA DURAN	✓				MICHAL MROWIEC				
ARTHUR DYBANOWSKI	✓				RABBI DAVID NIEDERMAN				
ROSEMARY ESPINAL	✓				JANICE PETERSON	✓			
LLOYD FENG	✓				AUSTIN PFERD	✓			
JULIA AMANDA FOSTER					BELLA SABEL	✓			
RIFKA FRIEDMAN	✓				ISAAC SOFER				
DEALICE FULLER					SAMEER TALATI				
JOEL GOLDSTEIN					DEL TEAGUE	✓			
JOEL GROSS					ALBERTO VALENTIN	✓			
DAVID HEIMLICH	✓				RAFFAELLO VAN COUTEN				
LARISSA HO					WILLIAM VEGA	✓			
KATIE DENNY HOROWITZ	✓				SIMON WEISER	✓			

TIME: _____

TALLY: 36 YES 0 NO 0 ABS 0 RECUSAL



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JOINT ENVIRONMENTAL PROTECTION, HOUSING & PUBLIC HOUSING AND PUBLIC SAFETY & HUMAN SERVICES COMMITTEES MOTION: to recommend the board write a letter to the NY State Office of the Attorney General to investigate reported potentially deceptive and illegal practices at the NYCHA Williamsburg Houses with the implementation of RAD/PACT residential rent agreements and charging tenants severe and frequent rent increases, and potential misconduct regarding asbestos and lead removal, boiler maintenance & functionality, sewer maintenance and maintenance on the potable water system.

Motion made by: Ms. Cabrera.

Seconded by: Ms. LaBorde.

DATE: 10/21/2025

	YES	NO	ABS	REC		YES	NO	ABS	REC
KARINA AGUILAR	✓				SONIA IGLESIAS				
BOGDAN BACHOROWSKI	✓				MOISHE INDIG				
LISA BAMONTE	✓				MATTHEW ISAACS	✓			
GINA BARROS	✓				JACOB ITZKOWITZ	✓			
TEON BROOKS	✓				ROBERT JEFFERY	✓			
ERIC BRUZAITIS	✓				BOZENA KAMINSKI	✓			
IRIS CABRERA	✓				CAITLIN KAWAGUCHI				
PHILIP CAPONEGRO	✓				PAUL KELTERBORN	✓			
FRANK CARBONE					WILLIAM KLAGSBALD	✓			
STEPHEN CHESLER	✓				MERYL LABORDE	✓			
GIOVANNI D'AMATO	✓				MARIE LEANZA	✓			
WARD DENNIS	✓				YAMILLETTE LEBRON				
ERIN DRINKWATER	✓				JODIE LOVE	✓			
MIGUELINA DURAN	✓				MICHAL MROWIEC				
ARTHUR DYBANOWSKI	✓				RABBI DAVID NIEDERMAN				
ROSEMARY ESPINAL	✓				JANICE PETERSON	✓			
LLOYD FENG	✓				AUSTIN PFERD	✓			
JULIA AMANDA FOSTER					BELLA SABEL	✓			
RIFKA FRIEDMAN	✓				ISAAC SOFER	✓			
DEALICE FULLER					SAMEER TALATI				
JOEL GOLDSTEIN					DEL TEAGUE	✓			
JOEL GROSS					ALBERTO VALENTIN	✓			
DAVID HEIMLICH	✓				RAFFAELLO VAN COUTEN				
LARISSA HO					WILLIAM VEGA	✓			
KATIE DENNY HOROWITZ	✓				SIMON WEISER	✓			

TIME: 7:44 p.m.

TALLY: 36 YES 0 NO 0 ABS 0 RECUSAL



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ENVIRONMENTAL PROTECTION COMMITTEE MOTION: to recommend the board support the residents of Brooklyn Community District #1 by sending a letter to NYSDEC stating if Green Asphalt is unable to remedy violations and resolution requests issued by DEC by December 11th, 2005, DEC should revoke their permit to operation this facility in its current location.

Motion made by: Ms. Kaminski

Seconded by: Mr. Pferd

DATE: 10/21/2025

	YES	NO	ABS	REC		YES	NO	ABS	REC
KARINA AGUILAR	✓				SONIA IGLESIAS				
BOGDAN BACHOROWSKI	✓				MOISHE INDIG				
LISA BAMONTE	✓				MATTHEW ISAACS	✓			
GINA BARROS	✓				JACOB ITZKOWITZ	✓			
TEON BROOKS	✓				ROBERT JEFFERY	✓			
ERIC BRUZAITIS	✓				BOZENA KAMINSKI	✓			
IRIS CABRERA	✓				CAITLIN KAWAGUCHI				
PHILIP CAPONEGRO	✓				PAUL KELTERBORN	✓			
FRANK CARBONE	✓				WILLIAM KLAGSBALD	✓			
STEPHEN CHESLER	✓				MERYL LABORDE	✓			
GIOVANNI D'AMATO	✓				MARIE LEANZA	✓			
WARD DENNIS	✓				YAMILLETTE LEBRON				
ERIN DRINKWATER	✓				JODIE LOVE	✓			
MIGUELINA DURAN	✓				MICHAL MROWIEC				
ARTHUR DYBANOWSKI	✓				RABBI DAVID NIEDERMAN	✓			
ROSEMARY ESPINAL	✓				JANICE PETERSON	✓			
LLOYD FENG	✓				AUSTIN PFERD	✓			
JULIA AMANDA FOSTER					BELLA SABEL	✓			
RIFKA FRIEDMAN	✓				ISAAC SOFER				
DEALICE FULLER					SAMEER TALATI				
JOEL GOLDSTEIN					DEL TEAGUE	✓			
JOEL GROSS					ALBERTO VALENTIN	✓			
DAVID HEIMLICH	✓				RAFFAELLO VAN COUTEN				
LARISSA HO					WILLIAM VEGA	✓			
KATIE DENNY HOROWITZ	✓				SIMON WEISER	✓			

TIME: _____

TALLY: 37 YES 0 NO 0 ABS 0 RECUSAL



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LANDMARKS SUBCOMMITTEE MOTION: To recommend the board approve the renovation design for 113 Noble Street with conditions:

- Reconsider again the rooftop screening structure, as the revised metal planter is still greatly out of historic character
- Ensure compatibility with LPC guidelines for rear extension height

Motion made by: Ms. Teague

Seconded by: Ms. Kaminski

DATE: 10/21/2025

	YES	NO	ABS	REC		YES	NO	ABS	REC
KARINA AGUILAR	✓				SONIA IGLESIAS				
BOGDAN BACHOROWSKI	✓				MOISHE INDIG				
LISA BAMONTE	✓				MATTHEW ISAACS	✓			
GINA BARROS	✓				JACOB ITZKOWITZ	✓			
TEON BROOKS	✓				ROBERT JEFFERY	✓			
ERIC BRUZAITIS	✓				BOZENA KAMINSKI	✓			
IRIS CABRERA	✓				CAITLIN KAWAGUCHI				
PHILIP CAPONEGRO	✓				PAUL KELTERBORN	✓			
FRANK CARBONE	✓				WILLIAM KLAGSBALD	✓			
STEPHEN CHESLER	✓				MERYL LABORDE	✓			
GIOVANNI D'AMATO	✓				MARIE LEANZA	✓			
WARD DENNIS	✓				YAMILLETTE LEBRON				
ERIN DRINKWATER	✓				JODIE LOVE	✓			
MIGUELINA DURAN	✓				MICHAL MROWIEC				
ARTHUR DYBANOWSKI	✓				RABBI DAVID NIEDERMAN	✓			
ROSEMARY ESPINAL	✓				JANICE PETERSON	✓			
LLOYD FENG	✓				AUSTIN PFERD	✓			
JULIA AMANDA FOSTER					BELLA SABEL	✓			
RIFKA FRIEDMAN	✓				ISAAC SOFER				
DEALICE FULLER					SAMEER TALATI				
JOEL GOLDSTEIN					DEL TEAGUE	✓			
JOEL GROSS					ALBERTO VALENTIN	✓			
DAVID HEIMLICH	✓				RAFFAELLO VAN COUTEN				
LARISSA HO					WILLIAM VEGA	✓			
KATIE DENNY HOROWITZ	✓				SIMON WEISER	✓			

TIME: 8:50

TALLY: 37 YES 0 NO 0 ABS 0 RECUSAL



COMMUNITY BOARD NO. 1
435 GRAHAM AVENUE – BROOKLYN, NY 11211
PHONE: (718) 389-0009
FAX: (718) 389-0098
Email: bk01@cb.nyc.gov
Website: www.nyc.gov/brooklyn1



PARKS & WATERFRONT COMMITTEE MOTION: to approve renaming of the McCarren Park Softball Field #2 in honor of Ronnie Ortiz Jr.

Motion made by: Ms. Teague

Seconded by: Mr. Itzkowitz

DATE: 10/21/2025

	YES	NO	ABS	REC		YES	NO	ABS	REC
KARINA AGUILAR	✓				SONIA IGLESIAS				
BOGDAN BACHOROWSKI	✓				MOISHE INDIG				
LISA BAMONTE	✓				MATTHEW ISAACS	✓			
GINA BARROS	✓				JACOB ITZKOWITZ	✓			
TEON BROOKS	✓				ROBERT JEFFERY	✓			
ERIC BRUZAITIS	✓				BOZENA KAMINSKI	✓			
IRIS CABRERA	✓				CAITLIN KAWAGUCHI				
PHILIP CAPONEGRO	✓				PAUL KELTERBORN	✓			
FRANK CARBONE	✓				WILLIAM KLAGSBALD	✓			
STEPHEN CHESLER	✓				MERYL LABORDE	✓			
GIOVANNI D'AMATO	✓				MARIE LEANZA	✓			
WARD DENNIS	✓				YAMILLETTE LEBRON				
ERIN DRINKWATER	✓				JODIE LOVE	✓			
MIGUELINA DURAN	✓				MICHAL MROWIEC				
ARTHUR DYBANOWSKI	✓				RABBI DAVID NIEDERMAN	✓			
ROSEMARY ESPINAL	✓				JANICE PETERSON	✓			
LLOYD FENG	✓				AUSTIN PFERD	✓			
JULIA AMANDA FOSTER					BELLA SABEL	✓			
RIFKA FRIEDMAN	✓				ISAAC SOFER				
DEALICE FULLER					SAMEER TALATI				
JOEL GOLDSTEIN					DEL TEAGUE	✓			
JOEL GROSS					ALBERTO VALENTIN	✓			
DAVID HEIMLICH	✓				RAFFAELLO VAN COUTEN				
LARISSA HO					WILLIAM VEGA	✓			
KATIE DENNY HOROWITZ	✓				SIMON WEISER	✓			

TIME: 8:53

TALLY: 37 YES 0 NO 0 ABS 0 RECUSAL



COMMUNITY BOARD NO. 1
435 GRAHAM AVENUE – BROOKLYN, NY 11211
PHONE: (718) 389-0009
FAX: (718) 389-0098
Email: bk01@cb.nyc.gov
Website: www.nyc.gov/brooklyn1



PARKS & WATERFRONT COMMITTEE MOTION: to support the design for American Playground

Motion made by: Mr. Feng

Seconded by: Mr. Bachorowski

DATE: 10/21/2025

	YES	NO	ABS	REC		YES	NO	ABS	REC
KARINA AGUILAR	✓				SONIA IGLESIAS				
BOGDAN BACHOROWSKI	✓				MOISHE INDIG				
LISA BAMONTE	✓				MATTHEW ISAACS	✓			
GINA BARROS	✓				JACOB ITZKOWITZ	✓			
TEON BROOKS	✓				ROBERT JEFFERY	✓			
ERIC BRUZAITIS	✓				BOZENA KAMINSKI	✓			
IRIS CABRERA	✓				CAITLIN KAWAGUCHI				
PHILIP CAPONEGRO	✓				PAUL KELTERBORN	✓			
FRANK CARBONE	✓				WILLIAM KLAGSBALD	✓			
STEPHEN CHESLER	✓				MERYL LABORDE	✓			
GIOVANNI D'AMATO	✓				MARIE LEANZA	✓			
WARD DENNIS	✓				YAMILLETTE LEBRON				
ERIN DRINKWATER	✓				JODIE LOVE	✓			
MIGUELINA DURAN	✓				MICHAL MROWIEC				
ARTHUR DYBANOWSKI	✓				RABBI DAVID NIEDERMAN	✓			
ROSEMARY ESPINAL	✓				JANICE PETERSON	✓			
LLOYD FENG	✓				AUSTIN PFERD	✓			
JULIA AMANDA FOSTER					BELLA SABEL	✓			
RIFKA FRIEDMAN	✓				ISAAC SOFER				
DEALICE FULLER					SAMEER TALATI				
JOEL GOLDSTEIN					DEL TEAGUE	✓			
JOEL GROSS					ALBERTO VALENTIN	✓			
DAVID HEIMLICH	✓				RAFFAELLO VAN COUTEN				
LARISSA HO					WILLIAM VEGA	✓			
KATIE DENNY HOROWITZ	✓				SIMON WEISER	✓			

TIME: 8:53 p.m. TALLY: 37 YES 0 NO 0 ABS 0 RECUSAL



COMMUNITY BOARD NO. 1
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PARKS & WATERFRONT COMMITTEE MOTION: CB1 to send a letter to the elected officials asking for emergency funding for Metropolitan Pool

Motion made by: Mr. Vega

Seconded by: Ms. LaBorde

DATE: 10/21/2025

	YES	NO	ABS	REC		YES	NO	ABS	REC
KARINA AGUILAR	✓				SONIA IGLESIAS				
BOGDAN BACHOROWSKI	✓				MOISHE INDIG				
LISA BAMONTE	✓				MATTHEW ISAACS	✓			
GINA BARROS	✓				JACOB ITZKOWITZ	✓			
TEON BROOKS	✓				ROBERT JEFFERY	✓			
ERIC BRUZAITIS	✓				BOZENA KAMINSKI	✓			
IRIS CABRERA	✓				CAITLIN KAWAGUCHI				
PHILIP CAPONEGRO	✓				PAUL KELTERBORN	✓			
FRANK CARBONE	✓				WILLIAM KLAGSBALD	✓			
STEPHEN CHESLER	✓				MERYL LABORDE	✓			
GIOVANNI D'AMATO	✓				MARIE LEANZA	✓			
WARD DENNIS	✓				YAMILLETTE LEBRON				
ERIN DRINKWATER	✓				JODIE LOVE	✓			
MIGUELINA DURAN	✓				MICHAL MROWIEC				
ARTHUR DYBANOWSKI	✓				RABBI DAVID NIEDERMAN	✓			
ROSEMARY ESPINAL	✓				JANICE PETERSON	✓			
LLOYD FENG	✓				AUSTIN PFERD	✓			
JULIA AMANDA FOSTER					BELLA SABEL	✓			
RIFKA FRIEDMAN	✓				ISAAC SOFER				
DEALICE FULLER					SAMEER TALATI				
JOEL GOLDSTEIN					DEL TEAGUE	✓			
JOEL GROSS					ALBERTO VALENTIN	✓			
DAVID HEIMLICH	✓				RAFFAELLO VAN COUTEN				
LARISSA HO					WILLIAM VEGA	✓			
KATIE DENNY HOROWITZ	✓				SIMON WEISER	✓			

TIME: 8:55 TALLY: 37 YES 0 NO 0 ABS 0 RECUSAL



COMMUNITY BOARD NO. 1
435 GRAHAM AVENUE – BROOKLYN, NY 11211
PHONE: (718) 389-0009
FAX: (718) 389-0098
Email: bk01@cb.nyc.gov
Website: www.nyc.gov/brooklyn1



TRANSPORTATION COMMITTEE MOTION: Community Board 1 to write a letter of no objection to the Taxi & Limousine Commission to renew the Base License #B01306 for RND Transportation Inc.

Motion made by: Mr. Vega

Seconded by: Ms. Drinkwater

DATE: 10/21/2025

	YES	NO	ABS	REC		YES	NO	ABS	REC
KARINA AGUILAR	✓				SONIA IGLESIAS				
BOGDAN BACHOROWSKI	✓				MOISHE INDIG				
LISA BAMONTE	✓				MATTHEW ISAACS	✓			
GINA BARROS	✓				JACOB ITZKOWITZ	✓			
TEON BROOKS	✓				ROBERT JEFFERY	✓			
ERIC BRUZAITIS	✓				BOZENA KAMINSKI	✓			
IRIS CABRERA	✓				CAITLIN KAWAGUCHI				
PHILIP CAPONEGRO	✓				PAUL KELTERBORN	✓			
FRANK CARBONE	✓				WILLIAM KLAGSBALD	✓			
STEPHEN CHESLER	✓				MERYL LABORDE	✓			
GIOVANNI D'AMATO	✓				MARIE LEANZA	✓			
WARD DENNIS	✓				YAMILLETTE LEBRON				
ERIN DRINKWATER	✓				JODIE LOVE	✓			
MIGUELINA DURAN	✓				MICHAL MROWIEC				
ARTHUR DYBANOWSKI	✓				RABBI DAVID NIEDERMAN	✓			
ROSEMARY ESPINAL	✓				JANICE PETERSON	✓			
LLOYD FENG	✓				AUSTIN PFERD	✓			
JULIA AMANDA FOSTER					BELLA SABEL	✓			
RIFKA FRIEDMAN	✓				ISAAC SOFER				
DEALICE FULLER					SAMEER TALATI				
JOEL GOLDSTEIN					DEL TEAGUE	✓			
JOEL GROSS					ALBERTO VALENTIN	✓			
DAVID HEIMLICH	✓				RAFFAELLO VAN COUTEN				
LARISSA HO					WILLIAM VEGA	✓			
KATIE DENNY HOROWITZ	✓				SIMON WEISER	✓			

TIME: _____

TALLY: 37 YES 0 NO 0 ABS 0 RECUSAL



COMMUNITY BOARD NO. 1
435 GRAHAM AVENUE – BROOKLYN, NY 11211
PHONE: (718) 389-0009
FAX: (718) 389-0098
Email: bk01@cb.nyc.gov
Website: www.nyc.gov/brooklyn1



TRANSPORTATION COMMITTEE MOTION: Community Board 1 to write our standard fatality inquiry letter to NYPD Highway Patrol, 90th Precinct, Council Member Gutierrez & Brooklyn District Attorney Gonzalez regarding the incident August 6th, 2025 near the intersection of Maspeth and Morgan Avenues.

Motion made by: Mr. Vega
Seconded by: Ms. Drinkwater

DATE: 10/21/2025

	YES	NO	ABS	REC		YES	NO	ABS	REC
KARINA AGUILAR	✓				SONIA IGLESIAS				
BOGDAN BACHOROWSKI	✓				MOISHE INDIG				
LISA BAMONTE	✓				MATTHEW ISAACS	✓			
GINA BARROS	✓				JACOB ITZKOWITZ	✓			
TEON BROOKS	✓				ROBERT JEFFERY	✓			
ERIC BRUZAITIS	✓				BOZENA KAMINSKI	✓			
IRIS CABRERA	✓				CAITLIN KAWAGUCHI				
PHILIP CAPONEGRO	✓				PAUL KELTERBORN	✓			
FRANK CARBONE	✓				WILLIAM KLAGSBALD	✓			
STEPHEN CHESLER	✓				MERYL LABORDE	✓			
GIOVANNI D'AMATO	✓				MARIE LEANZA	✓			
WARD DENNIS	✓				YAMILLETTE LEBRON				
ERIN DRINKWATER	✓				JODIE LOVE	✓			
MIGUELINA DURAN	✓				MICHAL MROWIEC				
ARTHUR DYBANOWSKI	✓				RABBI DAVID NIEDERMAN	✓			
ROSEMARY ESPINAL	✓				JANICE PETERSON	✓			
LLOYD FENG	✓				AUSTIN PFERD	✓			
JULIA AMANDA FOSTER					BELLA SABEL	✓			
RIFKA FRIEDMAN	✓				ISAAC SOFER				
DEALICE FULLER					SAMEER TALATI				
JOEL GOLDSTEIN					DEL TEAGUE	✓			
JOEL GROSS					ALBERTO VALENTIN	✓			
DAVID HEIMLICH	✓				RAFFAELLO VAN COUTEN				
LARISSA HO					WILLIAM VEGA	✓			
KATIE DENNY HOROWITZ	✓				SIMON WEISER	✓			

TIME: TALLY: 37 YES 0 NO 0 ABS 0 RECUSAL



COMMUNITY BOARD NO. 1
435 GRAHAM AVENUE – BROOKLYN, NY 11211
PHONE: (718) 389-0009
FAX: (718) 389-0098
Email: bk01@cb.nyc.gov
Website: www.nyc.gov/brooklyncb1



LAND USE, ULURP AND LANDMARKS [SUBCOMMITTEE] COMMITTEE MOTION: to approve the application McDonalds, 710 BROADWAY, BSA CAL # 2025-15-BZ with the following conditions:
1- Confirmation that there will be ample indoor seating to accommodate current community needs; 2- Confirmation that traffic backup will not increase;
3- Confirmation that there will be ample space between the bike racks to accommodate delivery bikes; 4- Confirmation that there is no anticipated loss of community jobs; and 5- The applicant will provide landscaping where possible.

Motion made by: Mr. Bruzaitis

Seconded by: Mr. Isaacs

DATE: 10/21/2025

	YES	NO	ABS	REC		YES	NO	ABS	REC
KARINA AGUILAR	✓				SONIA IGLESIAS				
BOGDAN BACHOROWSKI	✓				MOISHE INDIG				
LISA BAMONTE	✓				MATTHEW ISAACS	✓			
GINA BARROS	✓				JACOB ITZKOWITZ	✓			
TEON BROOKS	✓				ROBERT JEFFERY	✓			
ERIC BRUZAITIS	✓				BOZENA KAMINSKI	✓			
IRIS CABRERA	✓				CAITLIN KAWAGUCHI				
PHILIP CAPONEGRO	✓				PAUL KELTERBORN	✓			
FRANK CARBONE	✓				WILLIAM KLAGSBALD	✓			
STEPHEN CHESLER	✓				MERYL LABORDE	✓			
GIOVANNI D'AMATO	✓				MARIE LEANZA	✓			
WARD DENNIS	✓				YAMILLETTE LEBRON				
ERIN DRINKWATER	✓				JODIE LOVE	✓			
MIGUELINA DURAN	✓				MICHAL MROWIEC				
ARTHUR DYBANOWSKI	✓				RABBI DAVID NIEDERMAN				
ROSEMARY ESPINAL	✓				JANICE PETERSON	✓			
LLOYD FENG	✓				AUSTIN PFERD			✓	
JULIA AMANDA FOSTER					BELLA SABEL	✓			
RIFKA FRIEDMAN	✓				ISAAC SOFER	✓			
DEALICE FULLER					SAMEER TALATI				
JOEL GOLDSTEIN					DEL TEAGUE	✓			
JOEL GROSS					ALBERTO VALENTIN			✓	
DAVID HEIMLICH	✓				RAFFAELLO VAN COUTEN				
LARISSA HO					WILLIAM VEGA	✓			
KATIE DENNY HOROWITZ	✓				SIMON WEISER	✓			

TIME: 9:10

TALLY: 35 YES 0 NO 2 ABS 0 RECUSAL



COMMUNITY BOARD NO. 1
435 GRAHAM AVENUE – BROOKLYN, NY 11211
PHONE: (718) 389-0009
FAX: (718) 389-0098
Email: bk01@cb.nyc.gov
Website: www.nyc.gov/brooklynbc1



PUBLIC SAFETY & HUMAN SERVICES COMMITTEE MOTION: to send a letter to Rep. Nydia Velazquez and the entire NY congressional delegation to recommend that they support Rep. Tom Suozzi’s House bill to commemorate September 11 as a federal holiday

Motion made by: Ms. Kaminoki

Seconded by: Ms. Teague

DATE: 10/21/2025

	YES	NO	ABS	REC		YES	NO	ABS	REC
KARINA AGUILAR	✓				SONIA IGLESIAS				
BOGDAN BACHOROWSKI	✓				MOISHE INDIG				
LISA BAMONTE	✓				MATTHEW ISAACS	✓			
GINA BARROS	✓				JACOB ITZKOWITZ	✓			
TEON BROOKS	✓				ROBERT JEFFERY	✓			
ERIC BRUZAITIS	✓				BOZENA KAMINSKI	✓			
IRIS CABRERA	✓				CAITLIN KAWAGUCHI				
PHILIP CAPONEGRO	✓				PAUL KELTERBORN	✓			
FRANK CARBONE					WILLIAM KLAGSBALD	✓			
STEPHEN CHESLER	✓				MERYL LABORDE	✓			
GIOVANNI D’AMATO	✓				MARIE LEANZA	✓			
WARD DENNIS	✓				YAMILLETTE LEBRON				
ERIN DRINKWATER	✓				JODIE LOVE	✓			
MIGUELINA DURAN	✓				MICHAL MROWIEC				
ARTHUR DYBANOWSKI	✓				RABBI DAVID NIEDERMAN	✓			
ROSEMARY ESPINAL	✓				JANICE PETERSON	✓			
LLOYD FENG	✓				AUSTIN PFERD	✓			
JULIA AMANDA FOSTER					BELLA SABEL	✓			
RIFKA FRIEDMAN	✓				ISAAC SOFER				
DEALICE FULLER					SAMEER TALATI				
JOEL GOLDSTEIN					DEL TEAGUE	✓			
JOEL GROSS					ALBERTO VALENTIN	✓			
DAVID HEIMLICH	✓				RAFFAELLO VAN COUTEN				
LARISSA HO	✓				WILLIAM VEGA	✓			
KATIE DENNY HOROWITZ	✓				SIMON WEISER	✓			

TIME: 9:18 pm. TALLY: 37 YES 0 NO 0 ABS 0 RECUSAL



STUDIO V
ARCHITECTURE

20 BERRY STREET

COMMUNITY BOARD PRESENTATION

10/21/2025

PROPOSED PROJECT

01. 10-STORY MIXED-USE INDUSTRIAL, OFFICE, RETAIL AND RESTAURANT (135' HEIGHT)

02. TOTAL APPROX. 192,000 ZSF (4.8 FAR)

i. 32,000 INDUSTRIAL/MAKER

ii. 160,000 COMMERCIAL

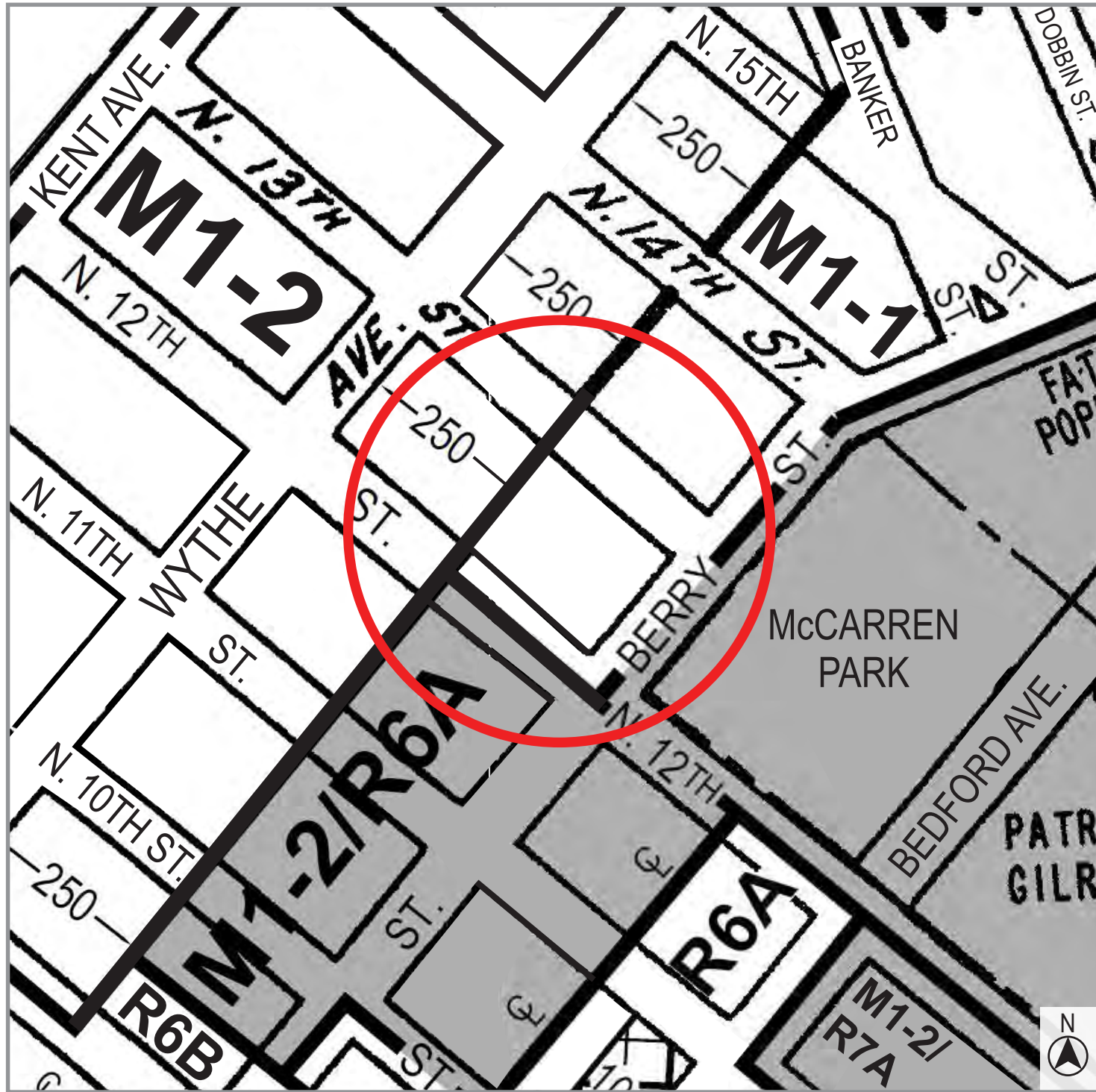
1. 24,000 RETAIL
2. 12,000 RESTAURANT
3. 123,000 OFFICE

iii. APPROX. 10,000 SF PUBLICLY ACCESSIBLE OPEN SPACE (PLAZA AND OTHER)

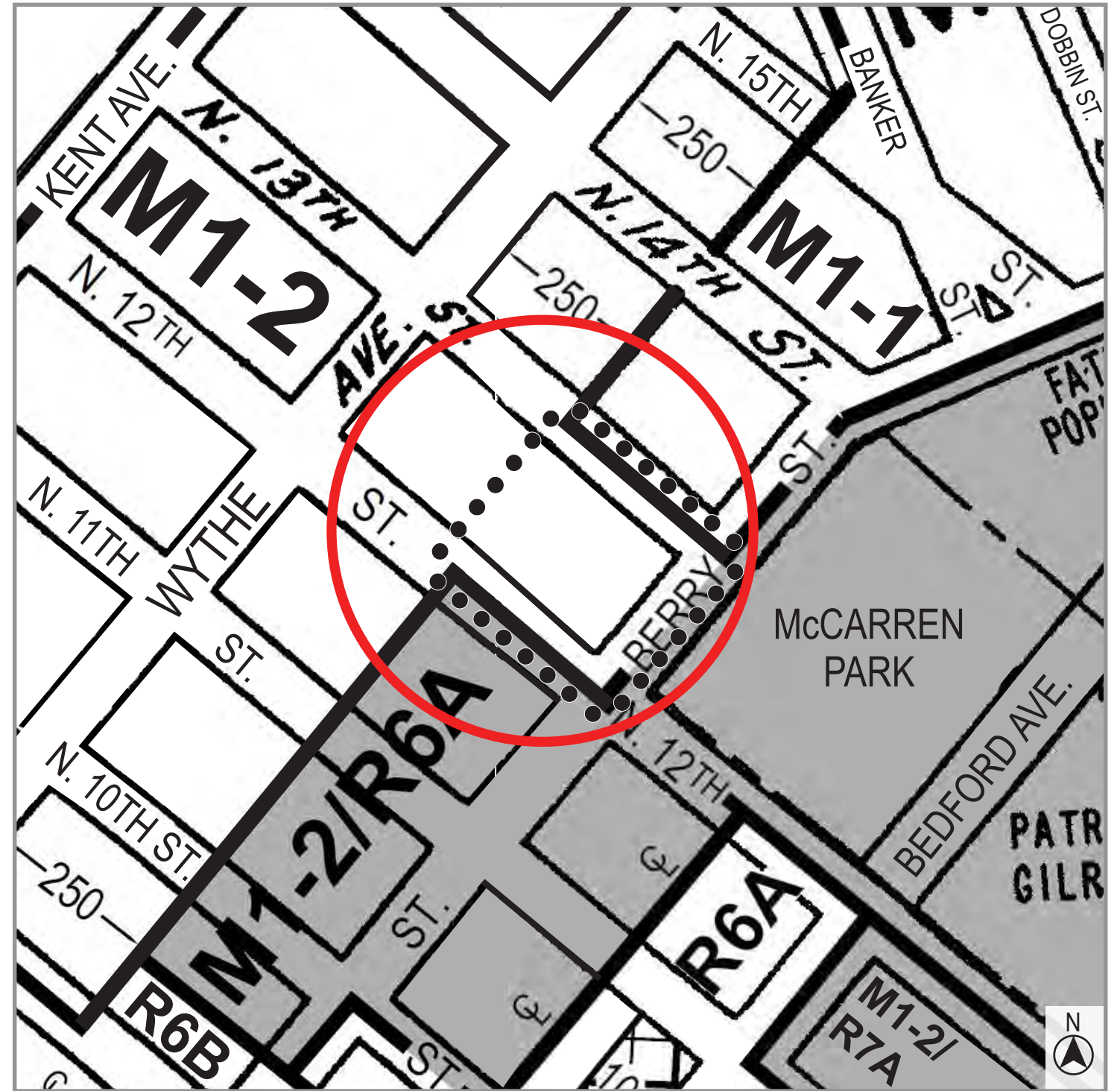
iv. 80 PARKING SPACES, 2 LOADING DOCKS

PROPOSED ZONING ACTIONS

01. ZONING MAP AMENDMENT (M1-1 TO M1-2)
02. ZONING TEXT AMENDMENT (EXPANSION OF THE INDUSTRIAL BUSINESS INCENTIVE AREA)
03. SPECIAL PERMITS
 - A. HEIGHT
 - B. SETBACK
 - C. FAR
 - D. PLAZA
 - E. PARKING/LOADING

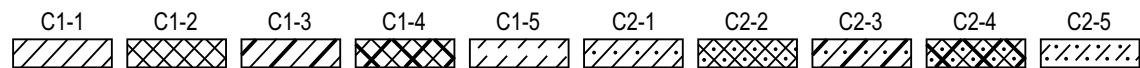


Current Zoning Map (13a & 12c)



Proposed Zoning Map (13a & 12c) - Area being rezoned is outlined with dotted lines

Rezoning from M1-1 to M1-2



NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.



NYC Digital Tax Map

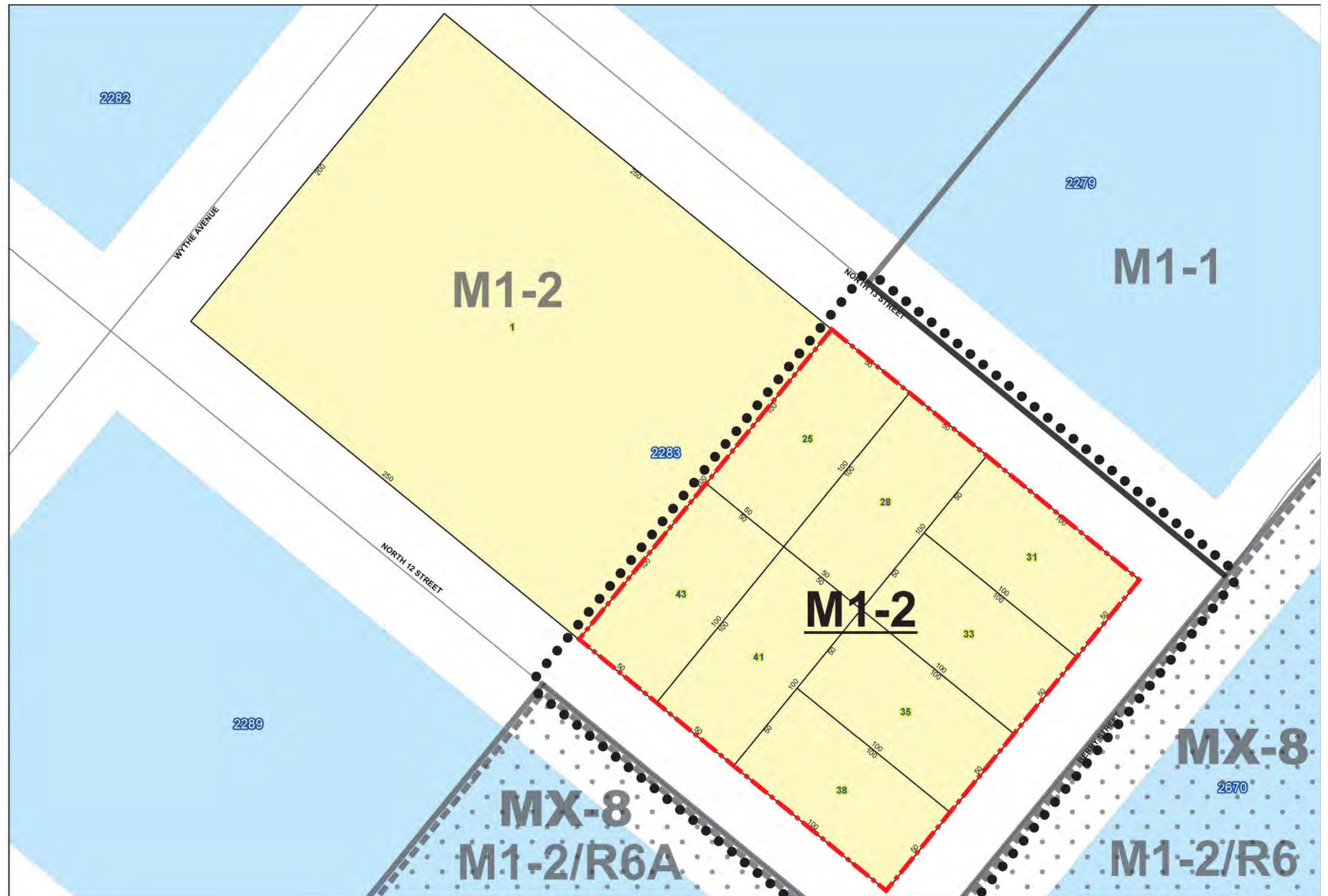
Effective Date : 05-21-2014 10:26:59
End Date : Current
Brooklyn Block: 2283



Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon

- Development Site
- Area Proposed to be Rezoned
- Existing Zoning District Line
- Proposed Zoning District Line
- Existing Special Purpose District
- M1-1 Existing Zoning District
- M1-2 Proposed Zoning District



04.75 5 19 28.5 38 Feet

20 Berry Street, Brooklyn
Area Map

Block: 2283, Lots: 25, 28, 31, 33, 35, 38, 41 & 43

Project Information

- 600' Radius
- Development Site
- Area Proposed to be Rezoned

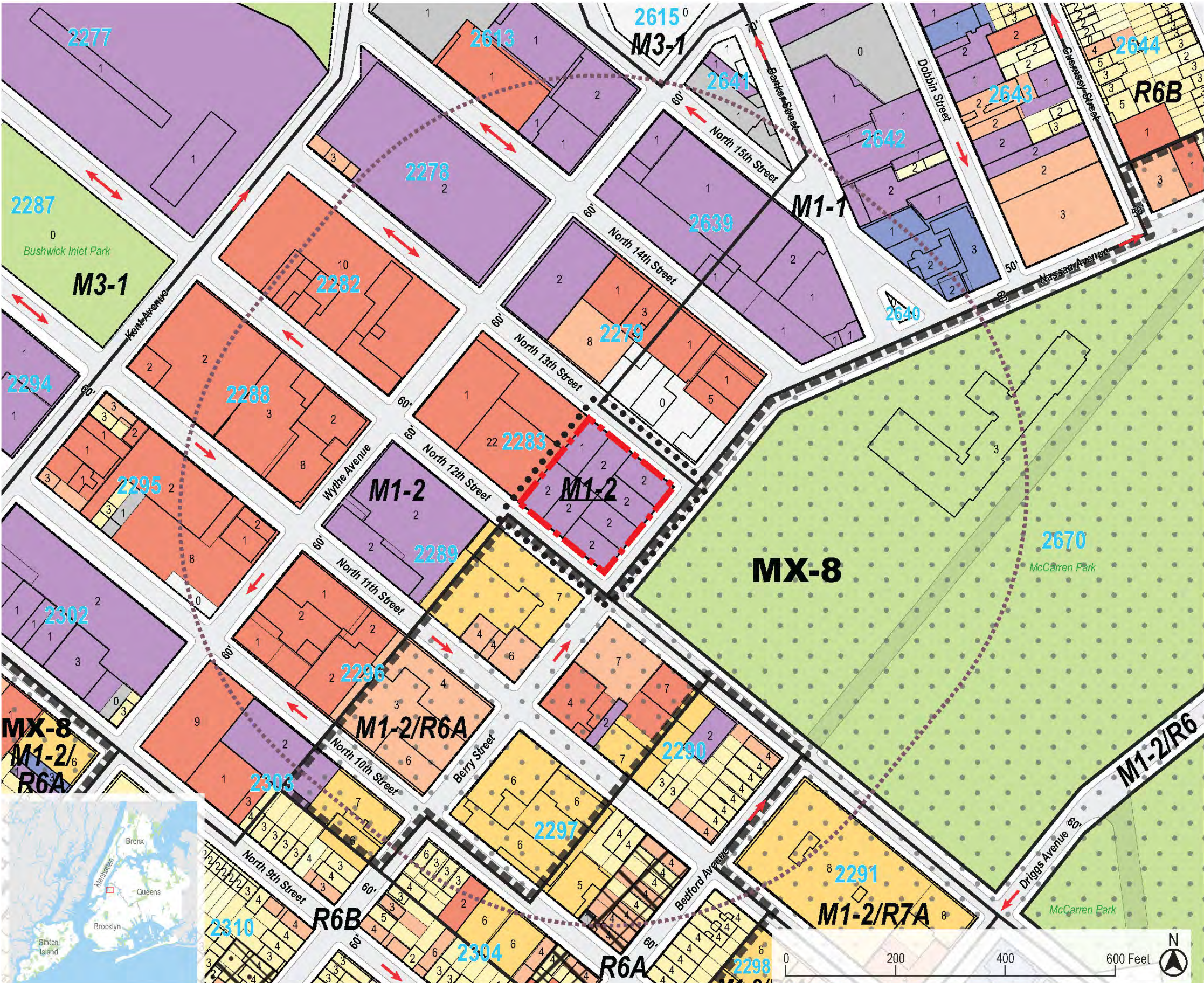
Existing Commercial Overlays & Zoning Districts

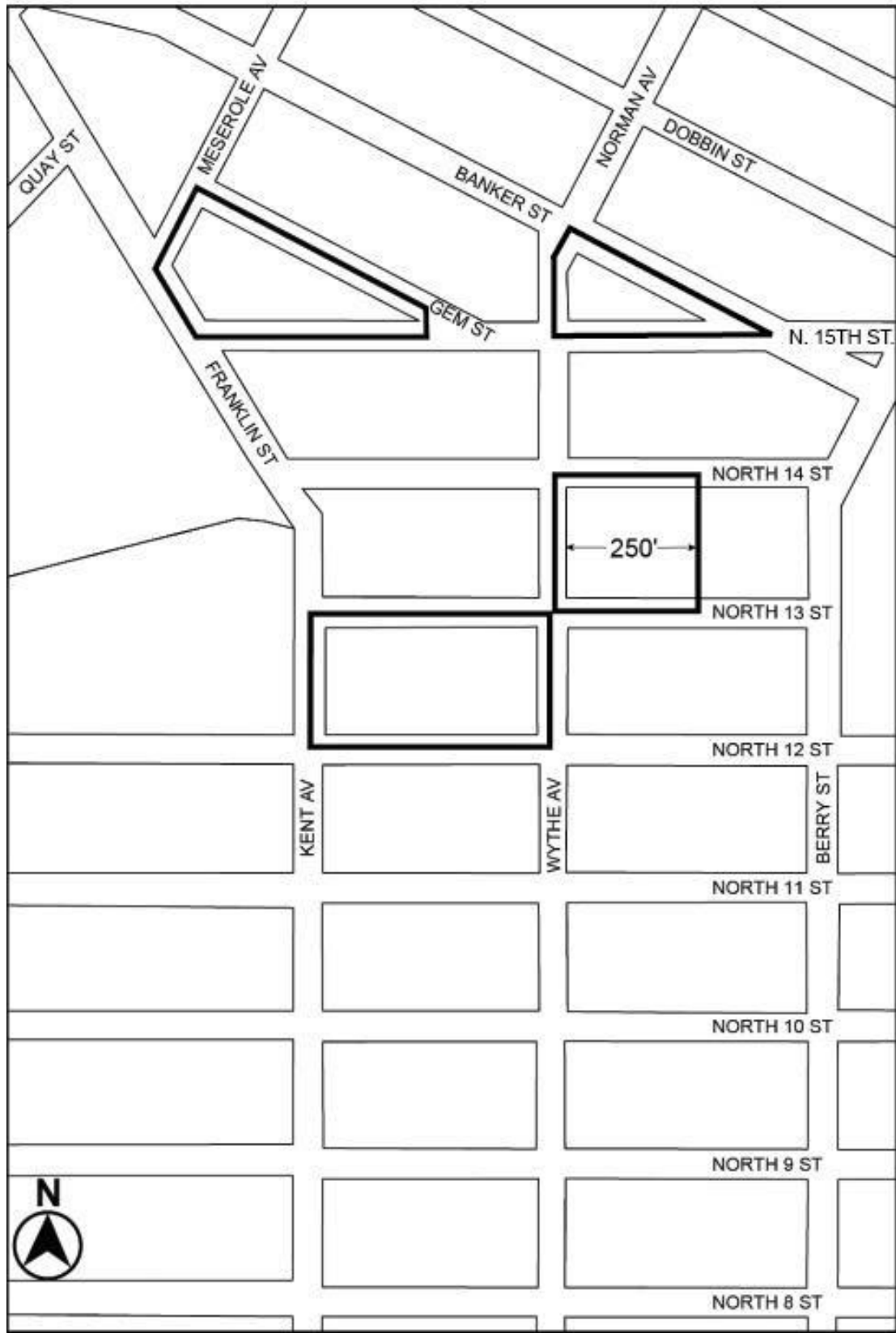
- | | | |
|------|------|-------------------|
| C1-1 | C2-1 | Zoning Districts |
| C1-2 | C2-2 | Special Districts |
| C1-3 | C2-3 | |
| C1-4 | C2-4 | |
| C1-5 | C2-5 | |

- Subway Entries
- Block Numbers
- Property Lines
- Number of Floors

Land Uses

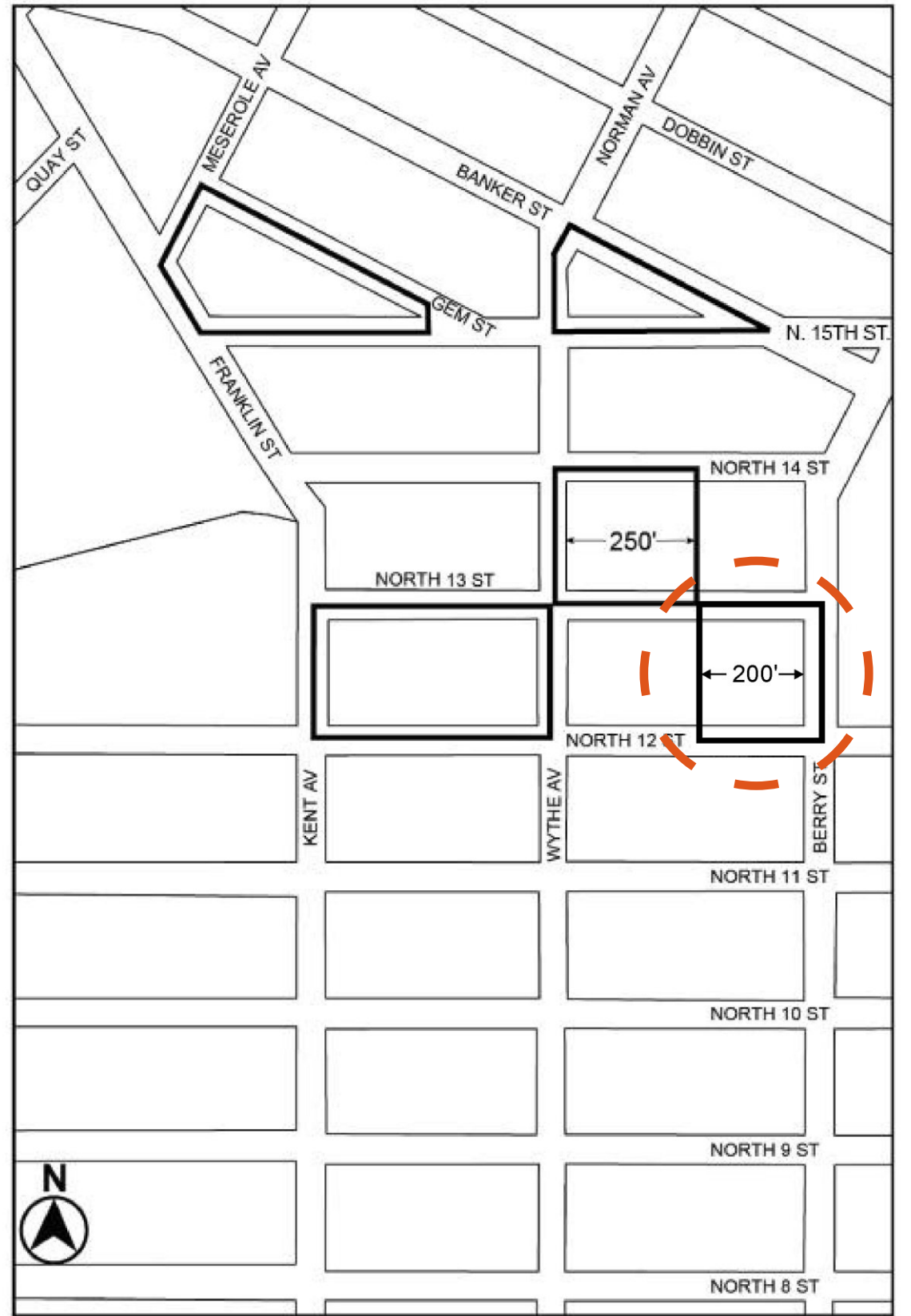
- One & Two Family Residential Buildings
- Multi-Family Residential Buildings (Walk-up)
- Multi-Family Residential Buildings (Elevator)
- Mixed Residential & Commercial Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land
- No Data/Other





 Industrial Business Incentive Area

74-96.0 MODIFICATION OF USE, BULK, PARKING AND LOADING
REGULATIONS IN INDUSTRIAL BUSINESS INCENTIVE AREAS



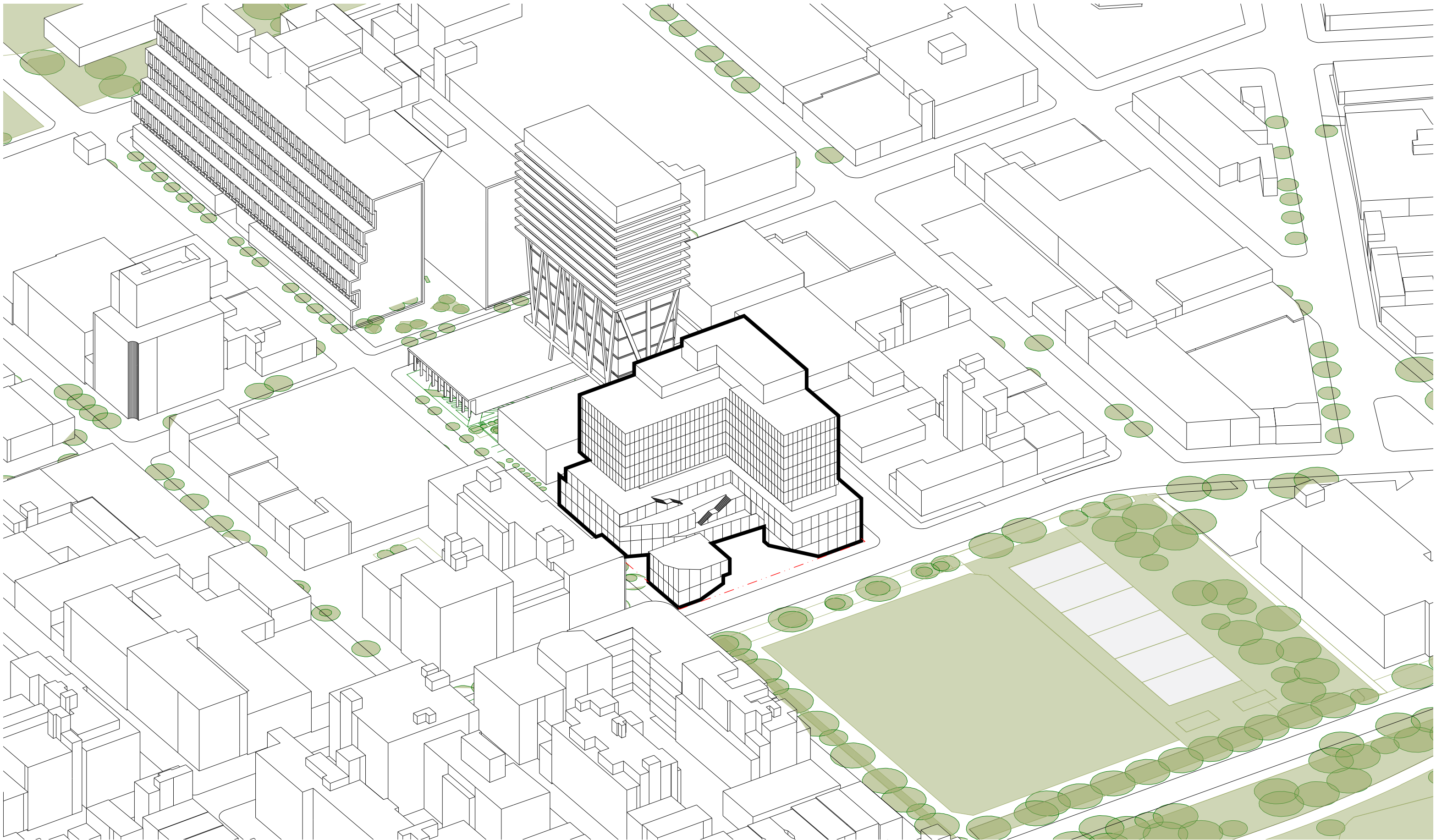
 Industrial Business Incentive Area

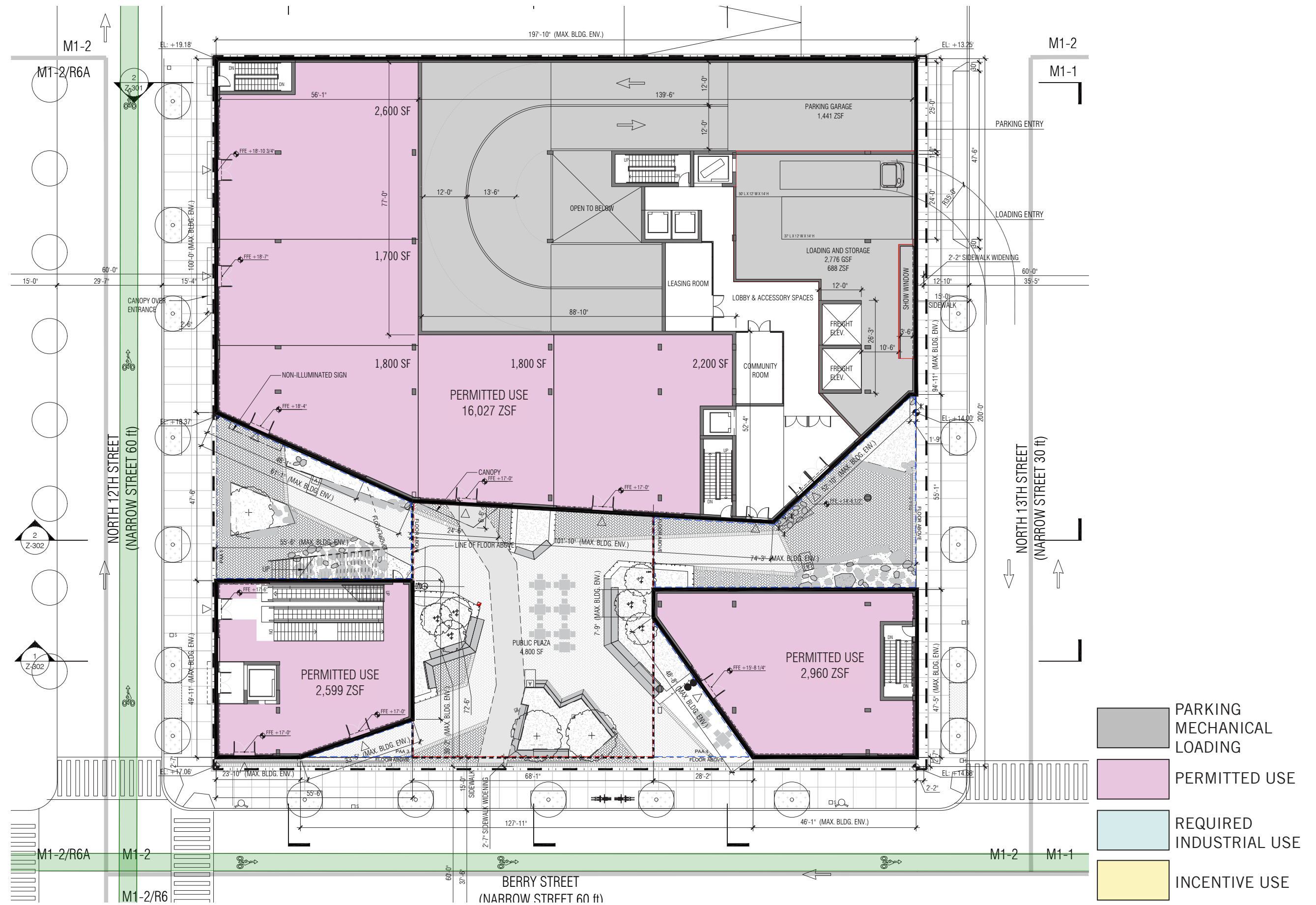
74-96.0 MODIFICATION OF USE, BULK, PARKING AND LOADING
REGULATIONS IN INDUSTRIAL BUSINESS INCENTIVE AREAS

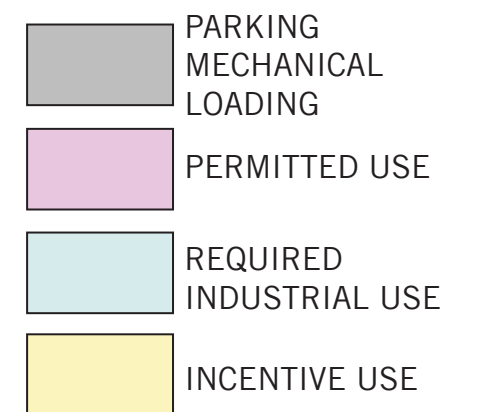
COMMUNITY BENEFITS

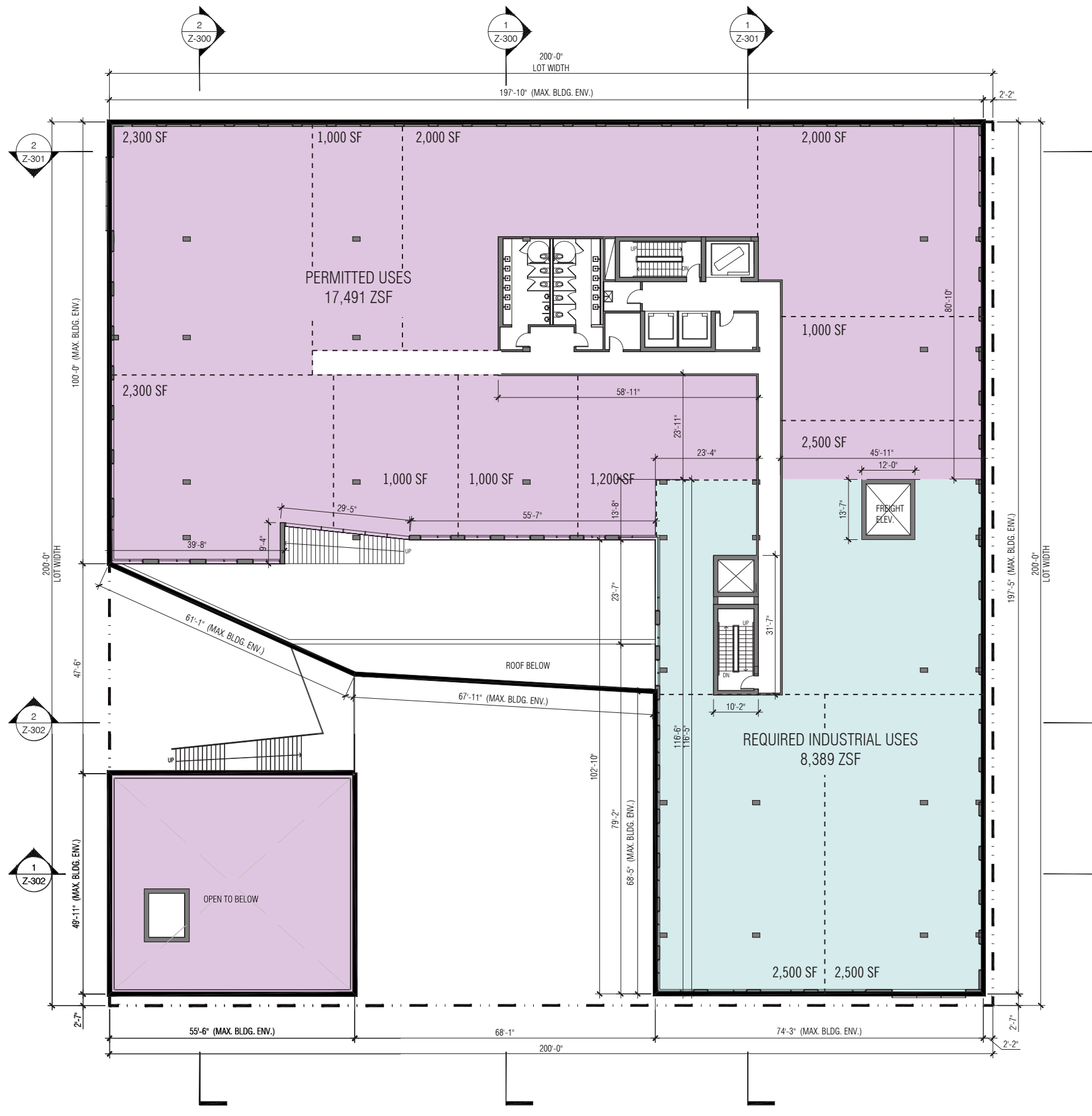
01. SUPPORTING INDUSTRY: EMPOWERING LOCAL ENTREPRENEURS & SPARKING A CULTURE OF INNOVATION IN THE COMMUNITY
02. COMMUNITY-SERVING RETAIL: WORKING WITH COMMUNITY & LOCAL ORGANIZATIONS FOR 40 YEARS
03. OPEN SPACE & SCALE: EXTENSIVE PUBLIC SPACES & GARDENS, RICH AND COMPLEX BUILDING MASSING RESPONDS TO SCALE OF SURROUNDING COMMUNITY
04. RESILIENCY: TRANSFORMING MAKERSPACES INTO HUBS OF CREATIVITY AND COLLABORATION, DRIVING INNOVATION AND COMMUNITY ENGAGEMENT
05. FUELING LOCAL JOBS & ECONOMIC DEVELOPMENT



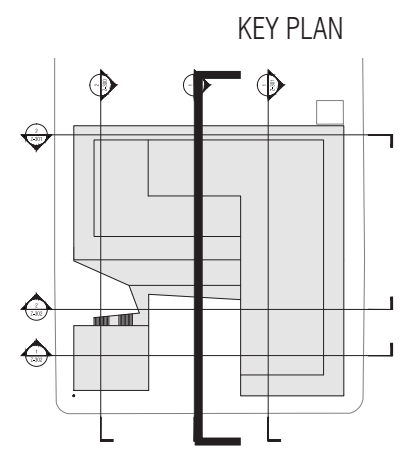
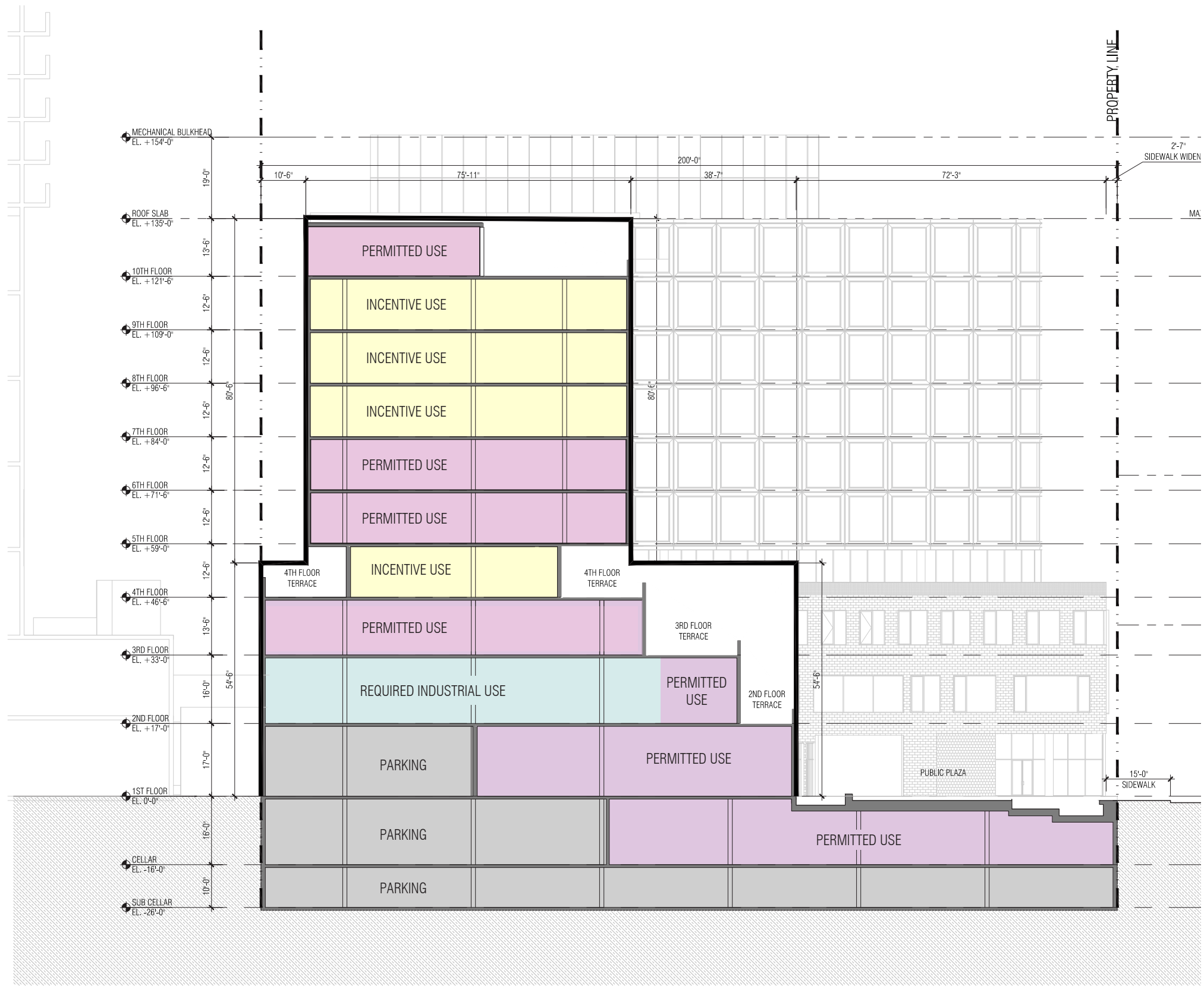




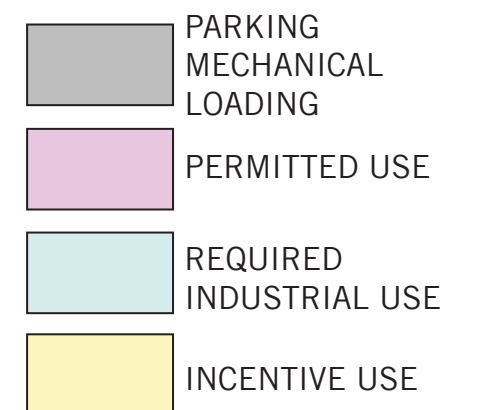
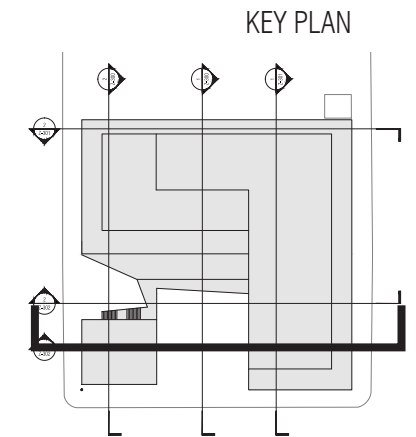
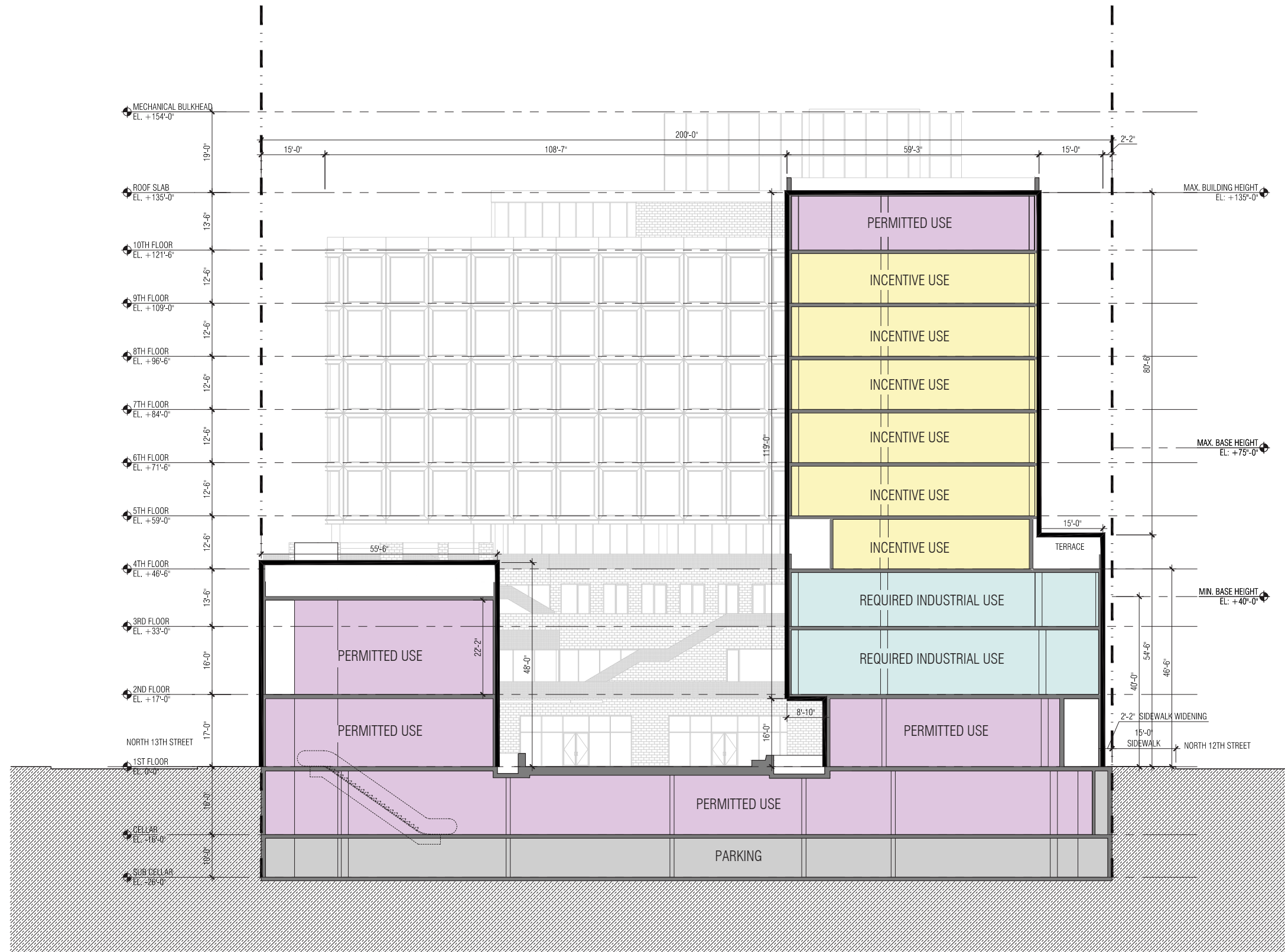


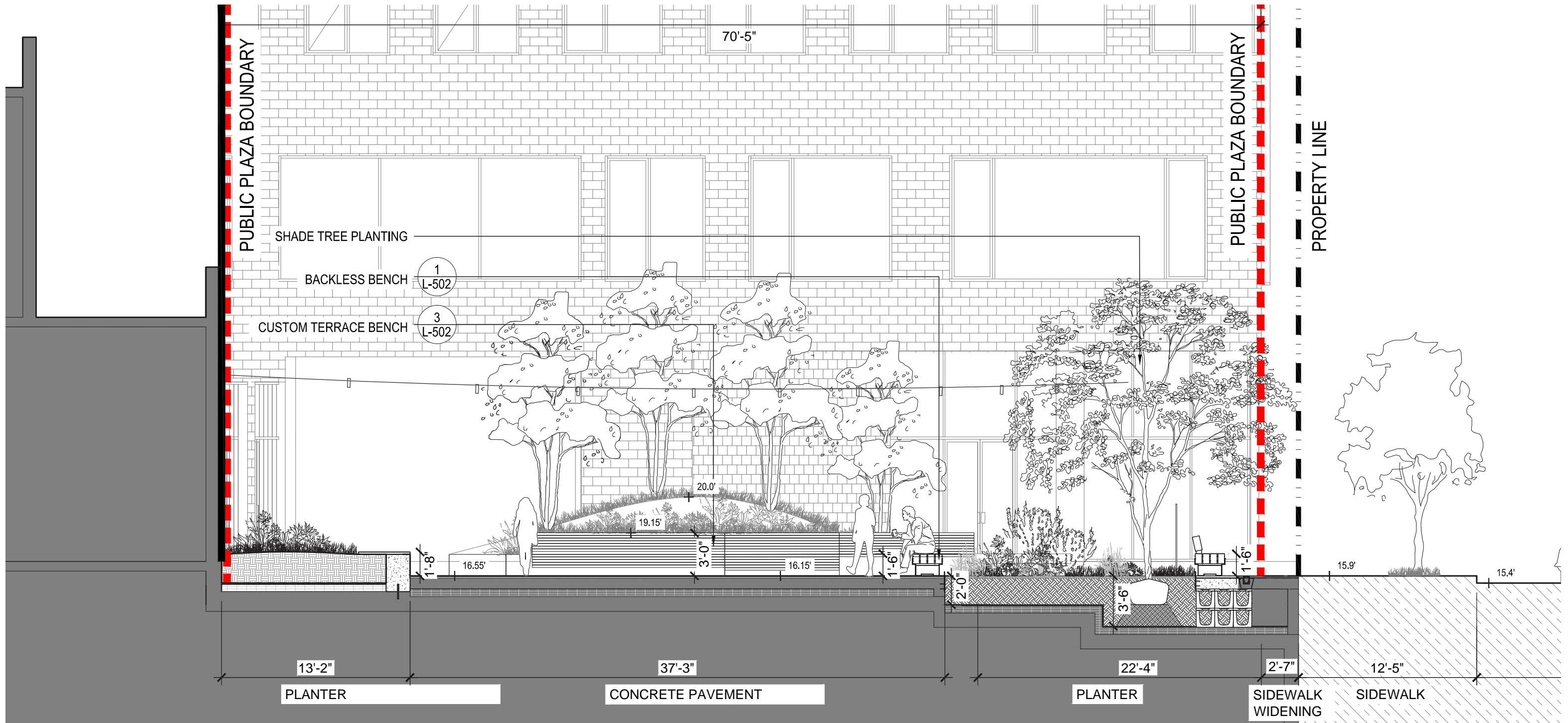


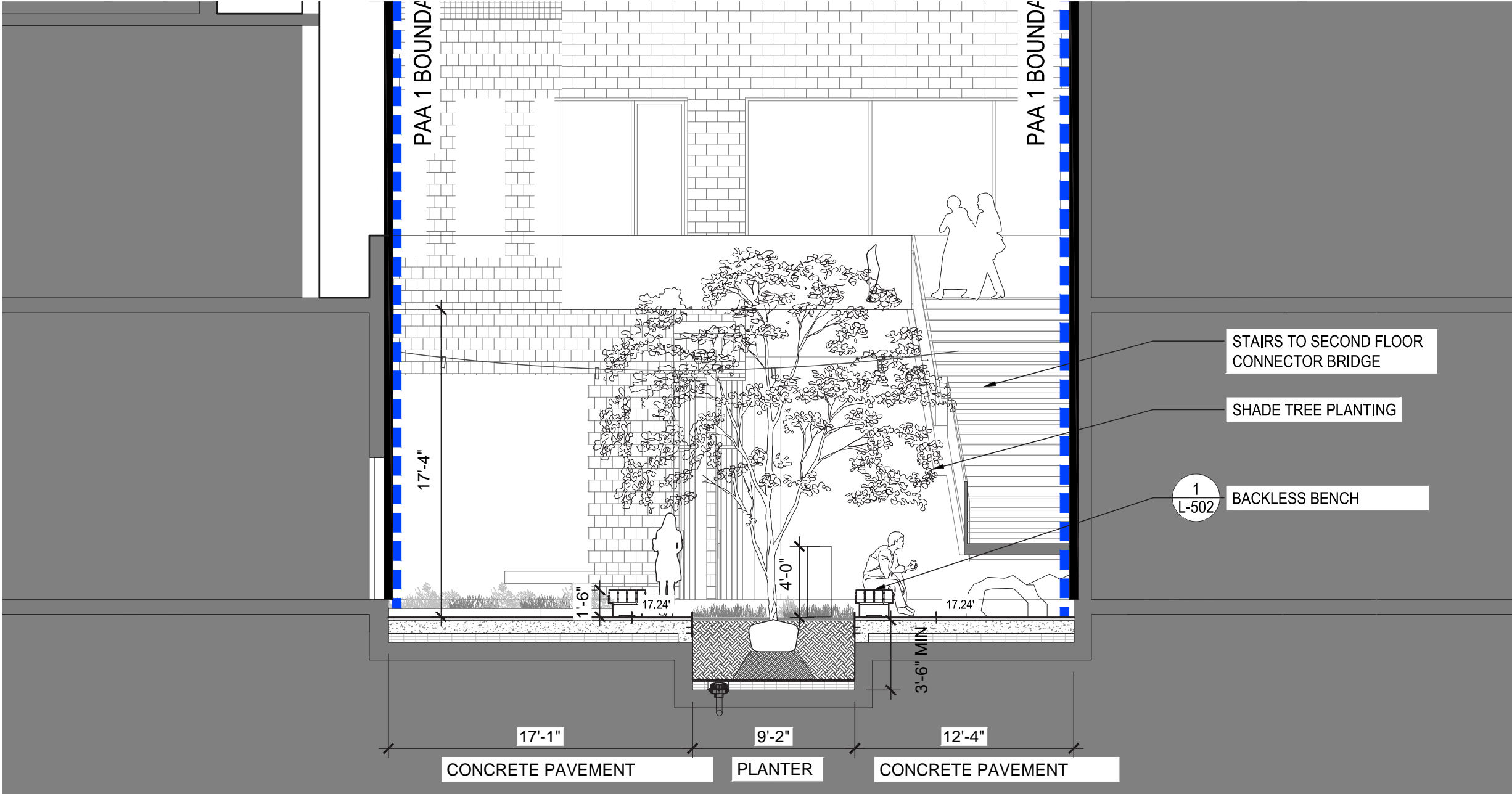
- PARKING MECHANICAL LOADING
- PERMITTED USE
- REQUIRED INDUSTRIAL USE
- INCENTIVE USE

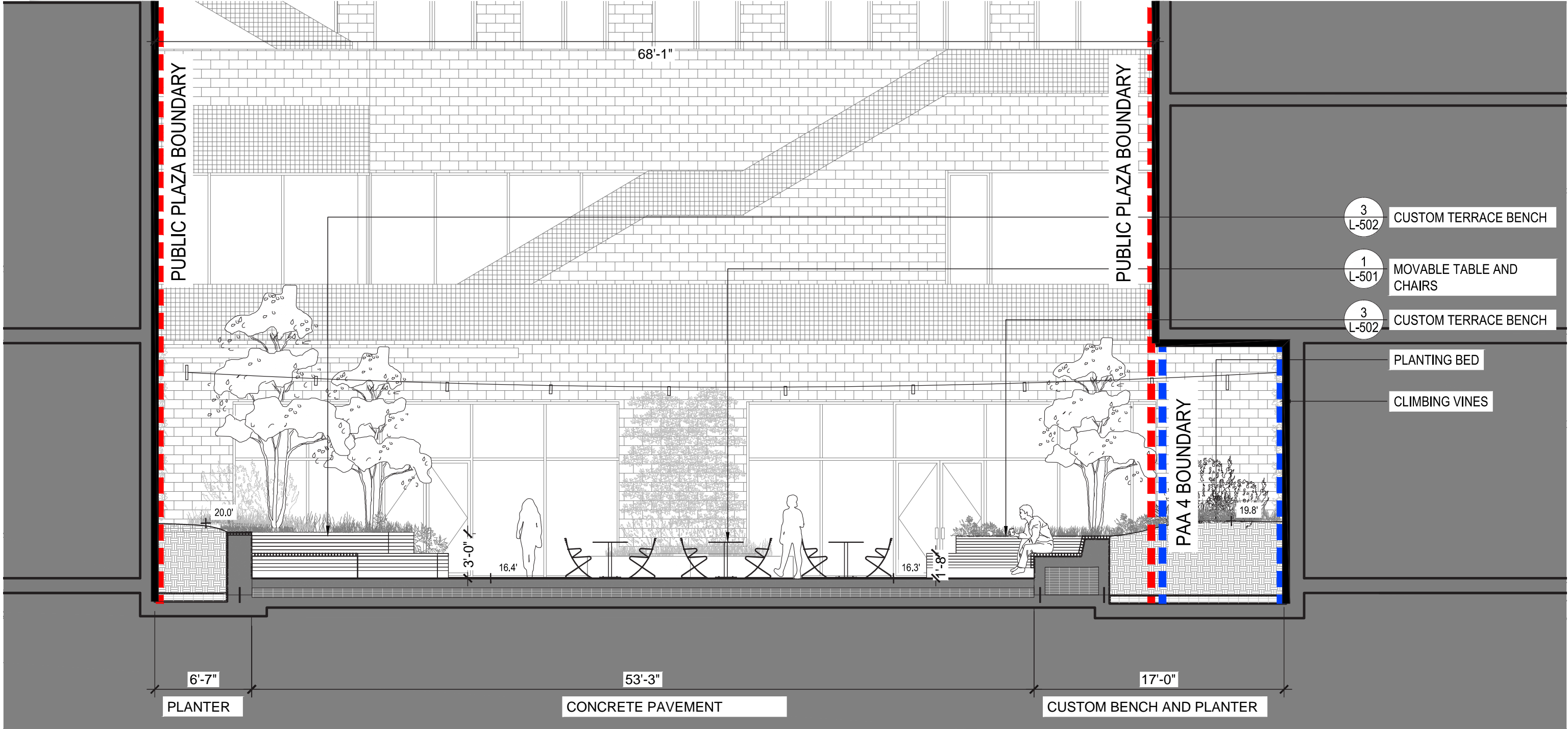


- PARKING
MECHANICAL
LOADING
- PERMITTED USE
- REQUIRED
INDUSTRIAL USE
- INCENTIVE USE

























ULURP, CALENDAR OR REFERENCE # C 240273 ZSK , C 240271 ZMK, N 240272 ZRK, N 260016 LDK
APPLICANT: Mihata Corp.
LOCATION: 20 Berry Street, Brooklyn
REQUEST: Zoning map amendment, zoning text amendment, and zoning special permit

COMMUNITY BOARD NO. 1 QUESTIONNAIRE FOR LAND USE ITEMS

Please complete this questionnaire and return to District Manager Johanna Pulgarin at

CB #1's Headquarters, 435 Graham Avenue, Brooklyn, New York 11211.

Feel Free to contact the Board's Office at (718) 389-0009

If you have any questions or require additional Information

PROPOSED ACTION: What is the proposed ULURP, or BSA action (i.e. an amendment to the zoning map, a siting of a city facility, a zoning variance, etc.)?

Zoning map amendment, zoning text amendment, and zoning special permit

1. For Ownership:

a) Who are the owners? Mihata Corp.

b) If a corporation, who are the principles? Hadi Hajjar, Mirella Hajjar, and Hagar Chemali

c) What kind of a corporation? Corporation

2. For Developers:

a) Who is the developer if it is different than the owner? TBD

b) What is their experience with this type of development? TBD

c) Is there a sponsor(s) of the project (i.e.. a CBO, NYC Housing Partnership, NYCHA?)
No

3. Financing:

d) What is the cost of the project? TBD

e) How is it financed? TBD

f) Will there be tax abatements? Subsidies TBD

3. Land

a) What information can be provided about the land? Who owns the land? _____

The land is a 40,000 square foot parcel that has been owned by the Applicant for 30 years (since 1994).

b) What is the condition, status and uses on the property and the zoning? Use groups? _____

The current zoning is M1-1. There are eight single-story warehouses (Use Group IX) on the property. Six are vacant.

c) Has there been an environmental assessment or scope of an impact statement prepared for the proposed action? _____

An environmental assessment statement was prepared. The Department of City Planning determined that the proposed actions would not have a significant adverse impact on the environment and issued a Negative Declaration.

d) Will the land be purchased? What is the cost of the land? TBD

When was the property purchased? 1994 What was the cost? Approximately \$3 million

e) Will demolition be needed to clear the land? _____

Yes. There are eight single-story warehouses on the property, which would need to be demolished.

f) Is the project in a special district? Historic District? Is it in an Urban Renewal Area? _____

No.

g) Will unused development rights be utilized or sold (i.e. air rights)? _____

No development rights will be purchased from or sold to other lots.

5. Construction:

a) What type of construction will be used (i.e. rehab/new) and methods (i.e. pre-form cast concrete, brick) New construction. The structural type (steel or concrete) is TBD. The preliminary design of the building exterior materials is a combination of brick at the base and terra cotta or Glass Fiber Reinforced Concrete on the upper floors.

b) What is the time frame of the work (i.e. begin/end, etc.)? _____
TBD

c) Who will be doing the work (i.e. firm, sweat equity, student interns)? _____
TBD

6. Project Information:

a) Describe the project in terms of the proposed use(s) such as retail, office, commercial, loft, community facility, etc.)? _____

The proposed building will include approximately 32,000 sf of industrial and maker space, 24,000 zsf of retail, 12,000 zsf of restaurant space, and 123,000 zsf of creative office space.

b) If the project is residential, how many dwelling units are proposed and what is the number of bedrooms mix? What are the unit sizes? _____

No residential uses are proposed.

c) What are the projected costs of the rentals? If the units are to be condominium or one-to- three family house, what is the projected purchase price? _____

No residential uses are proposed.

d) Will there be financing for the units? What are the terms? _____

No residential uses are proposed.

e) Who is the lender? No residential uses are proposed.

7. Marketing:

a) How will the project be marketed? Advertised? TBD

b) If newspaper, which ones? TBD

c) When will the projects be marketed (before, during or after construction)? TBD

d) What will be the outreach? TBD

8. Project Characteristics:

a) Will the project be consistent with the surrounding buildings (i.e. height, FAR/Floor Area Ratio, conforming)? _____

This proposed 10-story building will be on the site adjacent to the 21-story William Vale Hotel. Within 600' of the Development Site, there are buildings of variable heights, from 1 story to 10. Please see the Area Map in the Land Use Application for more details.

b) Will the project be handicap accessible? Explain specifics: _____

Yes, there will be elevator access to all upper and lower floors.

c) Special populations for the project (i.e. homeless, low-income, SRO, etc.) _____

N/A; this project does not contain housing.

9. Open Space/Parking Amenities:

- a) Will there be open space provided with the project? What type (i.e. rear yard, park, and waterfront)?
Will there be public access? _____

Public open space will be provided, as described below.

b) Will there be landscaping? Fencing? Street tree planting? _____
17 street trees are proposed. The plaza and publicly accessible open space will be landscaped as well.
Please see the Landscape set in the Land Use Application for more details.

c) Will parking be provided for (indoor, outdoor, on-street)? Will a waiver be requested? _____
80 enclosed parking spaces will be provided. A waiver is required to reduce the parking requirement from 728 spaces.

d) What amenities, if any, will be incorporated with the project? How were they developed and with who
(i.e. tenants, residents, community group)? _____
The public open space to be provided totals 9,690 square feet (approximately 24% of the development site) and is comprised of a 4,800 square foot public plaza within the central portion and 4,890 square feet of publicly accessible open space. Additionally, 940 square feet of sidewalk widenings are provided along Berry Street and North 13th Street.

10. Building/Lot -currently undergoing any renovations, demolition, construction (of any size)?

No.

11. Any violations on the building or lot (i.e. Department of Buildings, Department of Environmental Protection, EPA, etc.)?

There is a DOB violation from 2020 for an outdoor advertising sign. There are 3 construction violations from 1993, though additional details are not provided on BIS. Please note that all of the existing buildings will be removed as part of this application and a new building will be erected.

12. In addition to the BSA's Environmental Report for similar document). Please provide the following information:

a) List previous industrial uses and processes: _____
The Applicant has owned this site since 1994. He has used this site for a warehouse use, importing gifts, housewares, and novelties for sale to discount stores, dollar stores, and gift shops. Before the Applicant owned the site, it was used for the Wythe Avenue Station – a manufactured gas plant operated by Brooklyn Union Gas.

b) List chemicals and quantities used in and stored for those processes:
Please refer to the Phase 1 ESA.

c) List Hazardous Waste Disposal permits for prior operators: _____
Please refer to the Phase 1 ESA. _____

d) List any proposed remediation: _____
The site is subject to a New York State Department of Environmental Conservation administered
Environmental Easement and Site Management Plan. Additionally, the site will become subject to an (E)
Designation for hazardous materials under the jurisdiction of the NYC Mayor's Office of Environmental
Remediation. Both of these require site investigation and remediation to the satisfaction of these agencies to
ensure hazardous materials impacts would not occur. The specific details of site remediation will be
determined by these agencies upon review of specific project plans. _____

e) Please provide any ASTM Phase I & II information: _____
A Phase I ESA was prepared. _____

PREPARED BY: Goldman Harris LLC TITLE: Partner
SIGNATURE: H Gold DATE: 10/9/2025
CONTACT#(212) 935-1622 FAX#() _____
EMAIL: hgoldman@goldmanharris.com

Community Board #1

Supplemental Land Use Application Information

Special permit actions - on a separate sheet, list all waivers, etc. requested

A. Project size

Commercial: (sq ft)	160,000
Manufacturing (sq ft)	32,000
Residential (sq ft)	0
Total (sq ft)	192,000
Height (feet)	135
Height (stories)	10

(for projects with more than one building, provide the the above data for each building)

8. Residential projects

	# of units	# affordable
0 bedroom (studio)	0	0
1 bedroom	0	0
2 bedroom	0	0
3 bedroom	0	0
4 bedroom	0	0
Total units	0	0

Market-rate units

Rental or condo? N/A
 Estimated cost/rent psf N/A
 (market rate units only)

Affordable units

Rental or condo? N/A
 Distribution of affordability by% of AMI

N/A

C. Open space

	required	proposed
Total area	0	9,690 sf
Publicly accessible	0	9,690 sf

What are the hours of accessibility for the publicly-accessible open space? _____

The open spaces will be open 24/7.

Will the publicly-accessible open space be turned over the Department of Parks for operation?
No. _____

D. Parking

Parking - number of spots, number required by zoning

	required	proposed
# of spaces	728	80

E. Environmental

List all environmental issues identified, environmental designations (Little 'E', HAZMAT, brownfield, Super Fund, etc.) and all remediation required _____

The site is subject to a New York State Department of Environmental Conservation administered Environmental Easement and Site Management Plan. Additionally, the site will become subject to an (E) Designation for hazardous materials under the jurisdiction of the NYC Mayor's Office of Environmental Remediation

F. Additional information

- For all projects, please provide the following information:
- Draft or final EAS/EIS (pdf and one hard copy)
- 15 copies of power point presentation (11 x 17) to meeting
- Copies of power point presentation, architectural plans and renderings (pdf)
- NYS DEP signoff or status letter (waterfront sites only, pdf)
- List of project team (architect, engineer, landscape architect, code consultant, counsel, et al)
- List of all partners, corporation members, shareholders on ownership/development team
- Contact information (name, telephone, fax and email)



Newtown Creek CSO Storage Tunnel Project

Brooklyn CB 1 Property Easement and Acquisition Overview

October 21, 2025

Introductions

DEP Team

Kate Edden, Bureau of Engineering Design and Construction

Drisana Hughes, Bureau of Public Affairs & Communication

Terrell Estes, Bureau of Environmental Planning & Analysis

David Lee, Bureau of Environmental Planning & Analysis

DCAS Team

Shelton Getter, Assistant Director of Leasing and Acquisitions

Agenda

- Provide background on the Newtown CSO Storage Tunnel Project
- Explanation of Combined Sewer Overflows
- Project Scope
- Briefing on forthcoming ULURP actions and schedule
- Answer any questions!

Project Location

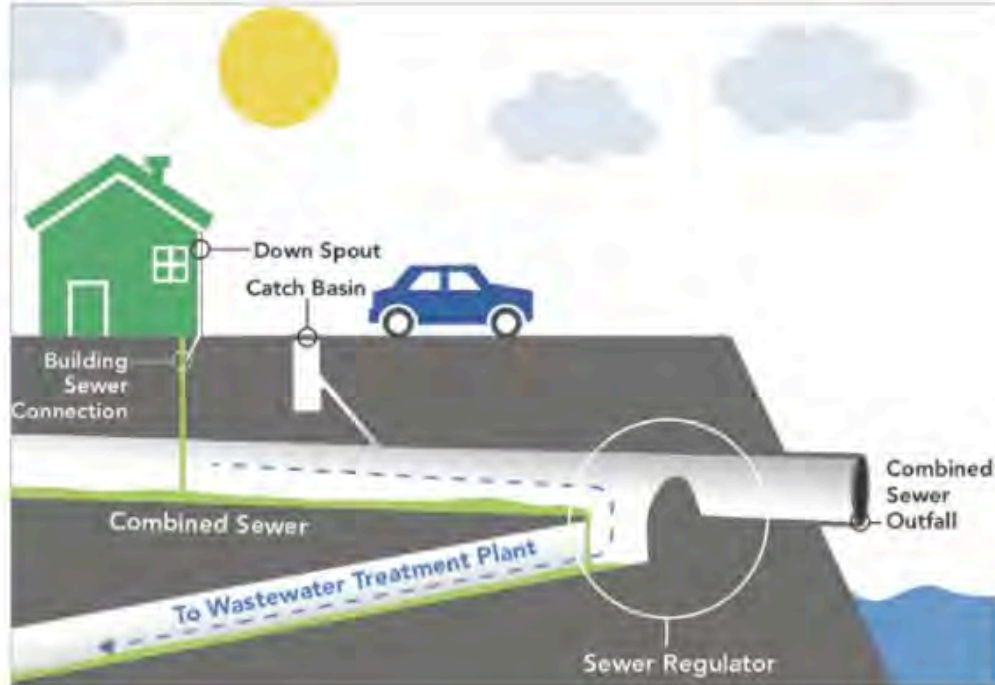


Project Background and Context

- **NYS DEC Order on Consent required DEP to provide a Long Term Control Plan (LTCP) for Newtown Creek**
 - Concluded that control of four major outfalls with a Storage Tunnel to be best solution for CSO reduction.
- **Newtown Creek designated as a Federal Superfund Site** under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) - September 2010



Combined Sewer Overflow (CSO)



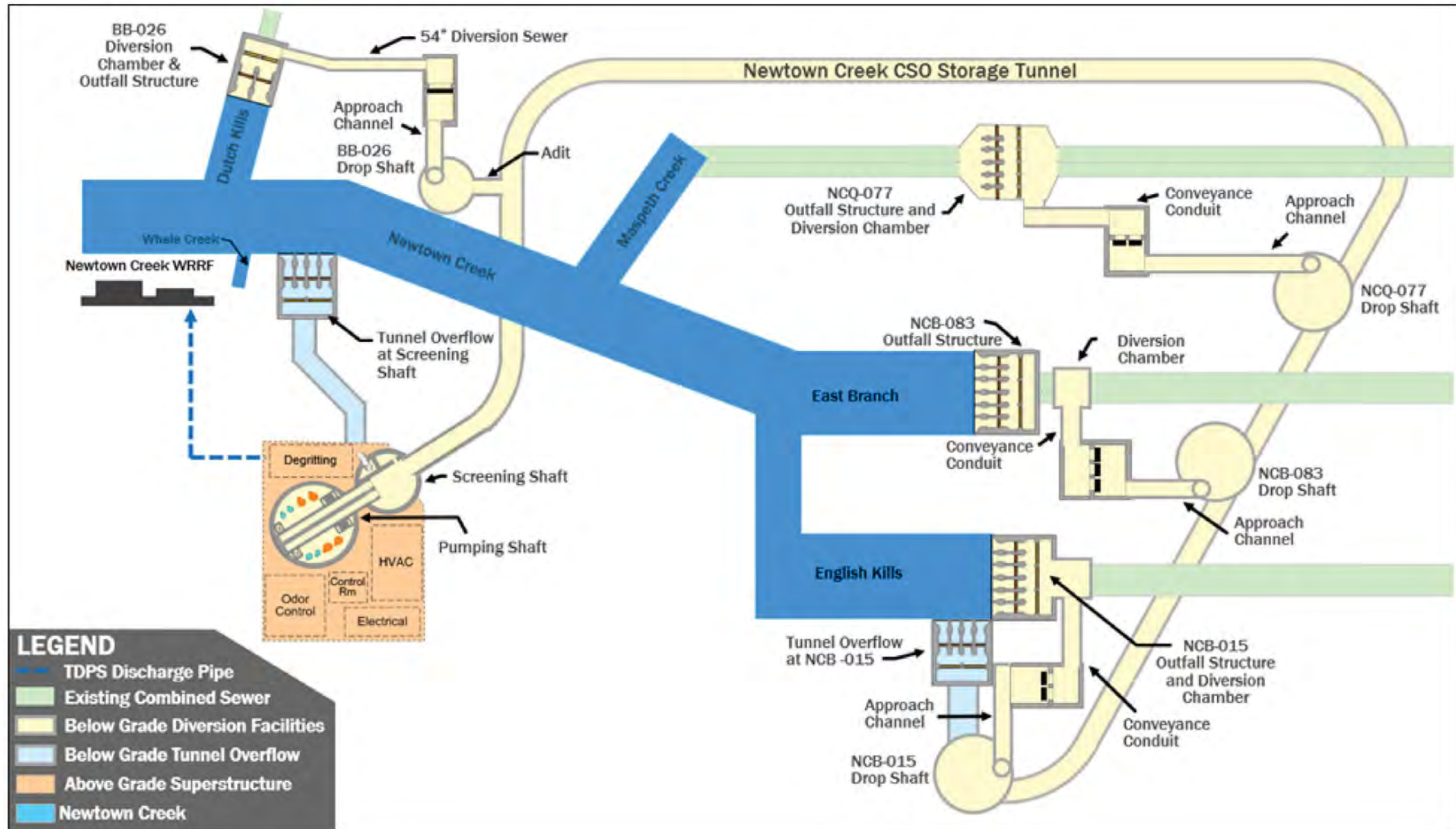
- About 60% of the city has combined sewers that collect both sanitary waste and rainwater.
- In dry weather, sewage is routed through the sewer system to one of the city's 14 wastewater resource recovery facilities for treatment.
- The system can get overwhelmed when the amount of water produced in a storm is greater than the capacity of the pipes.
- This can result in overflows into local waterways. This is called combined sewer overflow (CSO).

Project Scope

- **3-mile-long tunnel** with 50-million-gallon storage capacity
- Intercepts combined sewer overflow (CSO) from **4 major outfalls** during a storm event
- **Tunnel Dewatering Pump Station** will pump flow from tunnel to Newtown Creek Wastewater Resource Recovery Facility for treatment after a storm.
- Consent milestone for construction completion: December 2040
- Project currently in Design Phase.



CSO Tunnel System Overview



NOTE: Schematic design; not to scale

Proposed Land Use Actions

1. Site Selection & Acquisition (PC)

- ULURP # C260063PCY

2. Site Selection only (PS)

- ULURP # C260064PSY



CB1 Properties Affected

1. Site Selection & Acquisition (PC) – 31 properties located in CB1

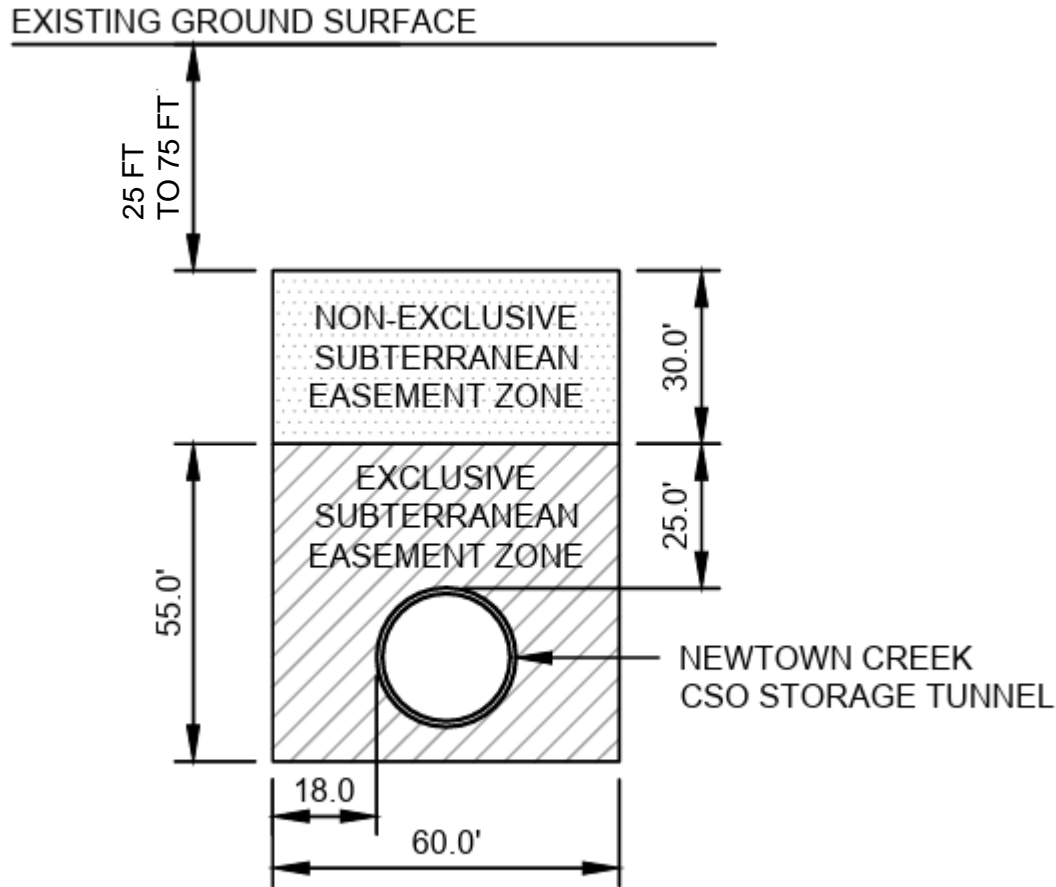
- Site Selection of a new City facilities on private-property - construction of tunnel and diversion facilities
- Acquisition approval for subterranean easements – protect tunnel from physical damage

2. Site Selection only (PS) – 3 properties located in CB1

- Site Selection of three new City facilities on City-owned properties - construction of tunnel and tunnel dewatering pump station



Subterranean Easements

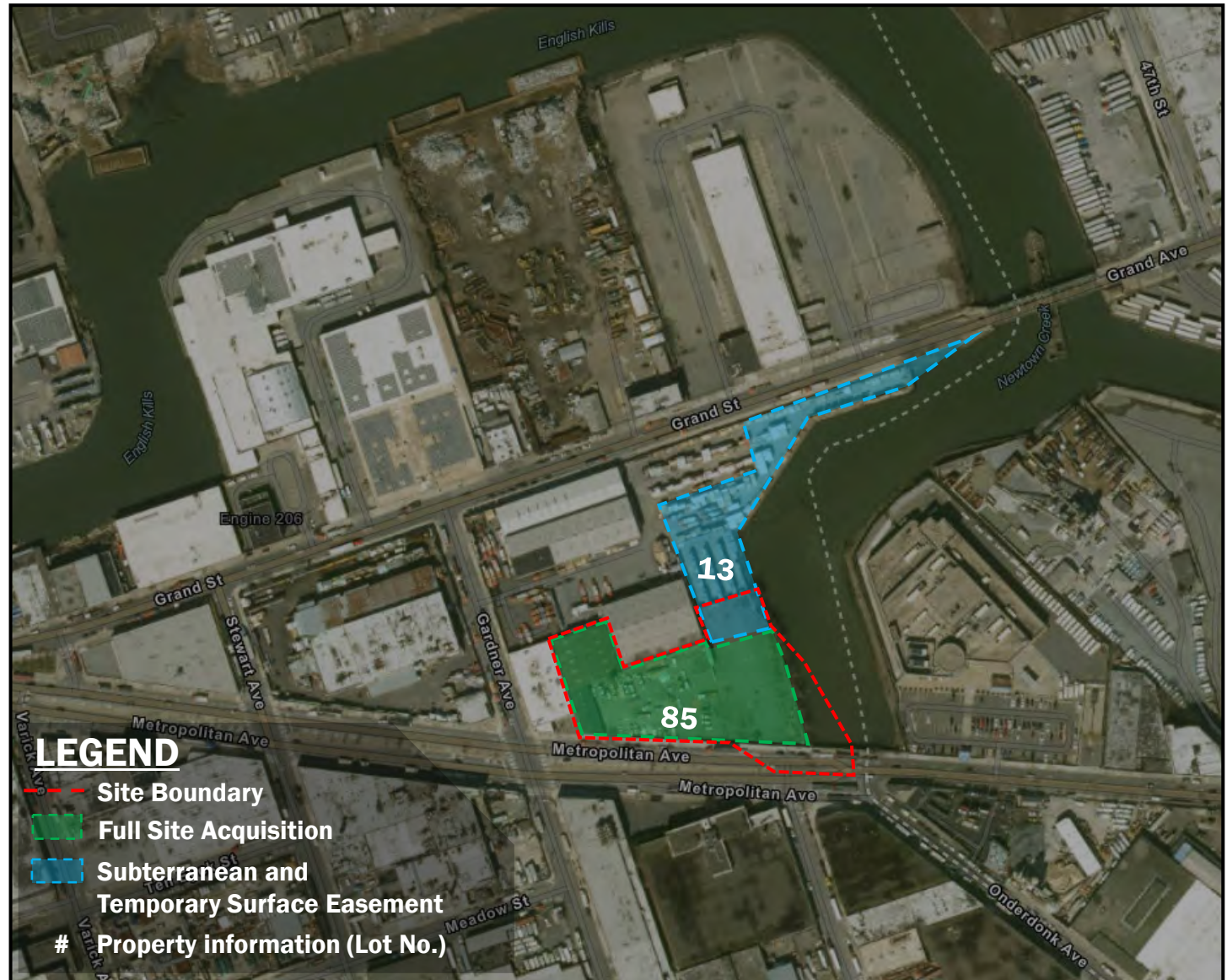


**ILLUSTRATIVE EASEMENT
SECTION**

- 31 Subterranean Easements are required in CB1
- Subterranean easement zone begins approximately 25-75 feet below the existing ground surface
- Tunnel will be 80-130 feet below ground surface
- Exact depths will be confirmed prior to design being finalized
- Future development allowed within "non-exclusive subterranean easement zone", subject to approval by with NYC DEP

NCB-083 Full Site Acquisition and Temporary Surface Easements

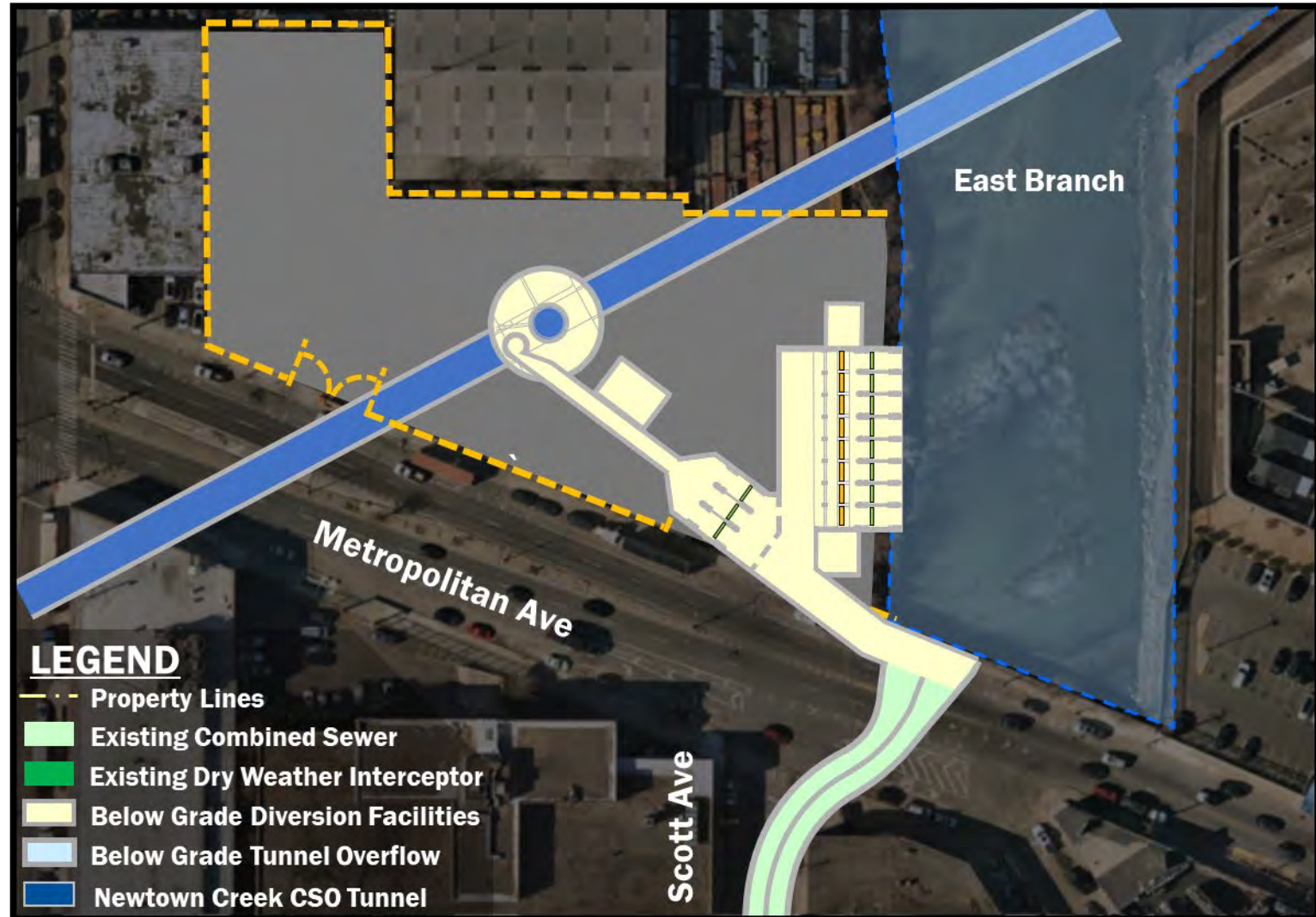
- Full Site Acquisition:
 - Block 2948; Lot 85
 - Privately owned storage lot (industrial use)
- Subterranean and Temporary Surface Easement:
 - Block 2948; Lot 13
 - Privately owned parking



NCB-083 Diversion Facilities and Drop Shaft Proposed Layout

Scope of Work:

- Construction of permanent NCB-083 diversion facility with:
 - Drop Shaft structure
 - Diversion chamber
 - Outfall structure
 - Flap Gate chamber
 - Approach channel
- Construction of permanent odor control system in below grade vault



NCB-015 Facility Site Selection and Full Property Acquisitions

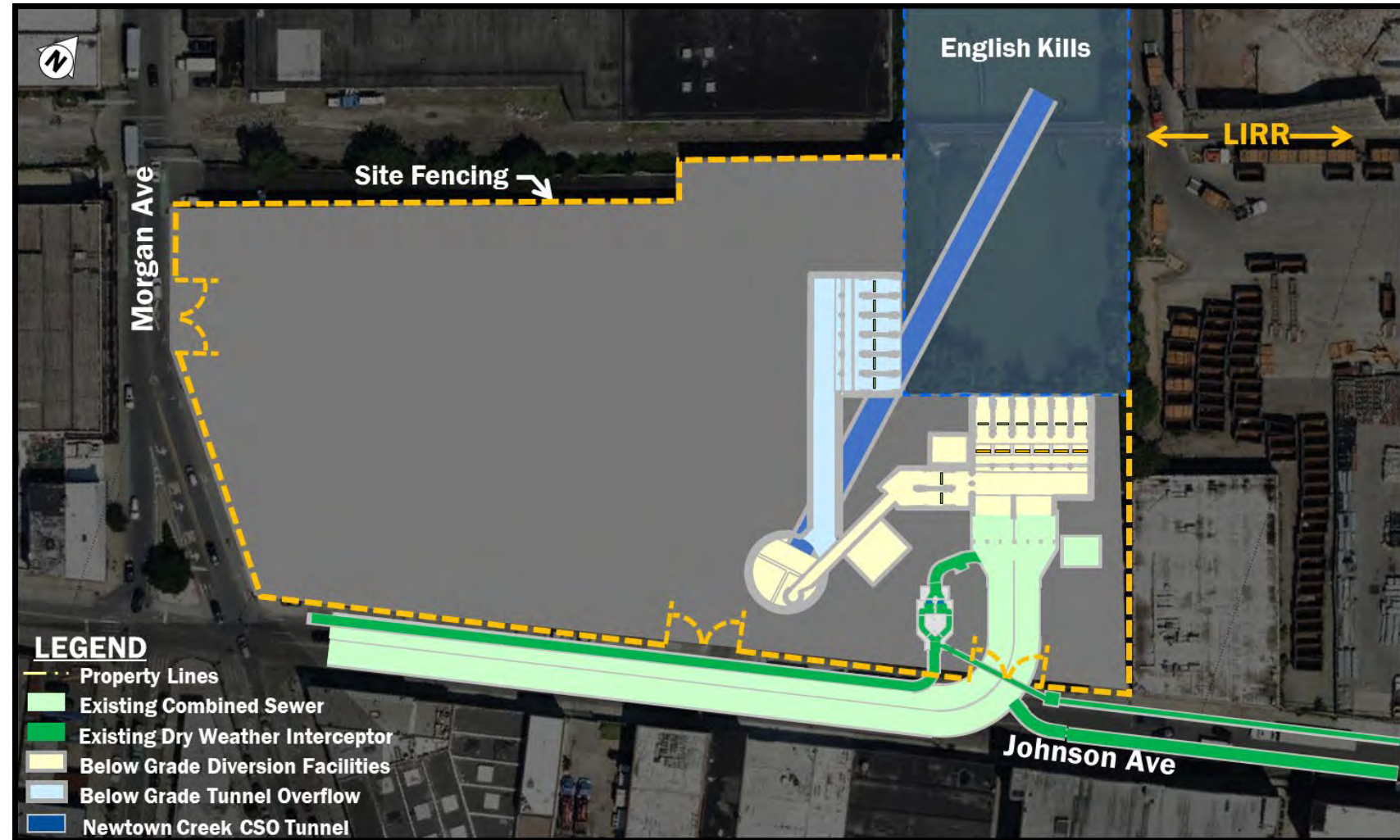
- Subterranean and Permanent Surface Easement:
 - Block 2974; Lot 162
 - MTA owned parking
- Full Site Acquisition:
 - Block 2974; Lot 170
 - Privately owned parking and warehouse/manufacturing use



NCB-015 Diversion Facilities and Drop Shaft Proposed Layout

Scope of Work:

- Construction of permanent NCB-015 diversion facility with:
 - Drop shaft structure
 - Diversion chamber
 - Modifications to existing outfall structure
 - Tunnel overflow structure
 - Flap gate chamber
 - Approach channel
- Construction of permanent odor control system in below grade vault



TDPS Site Selection

- Site Selection Only:
 - Block 2508; Lot 1
 - DSNY-owned site








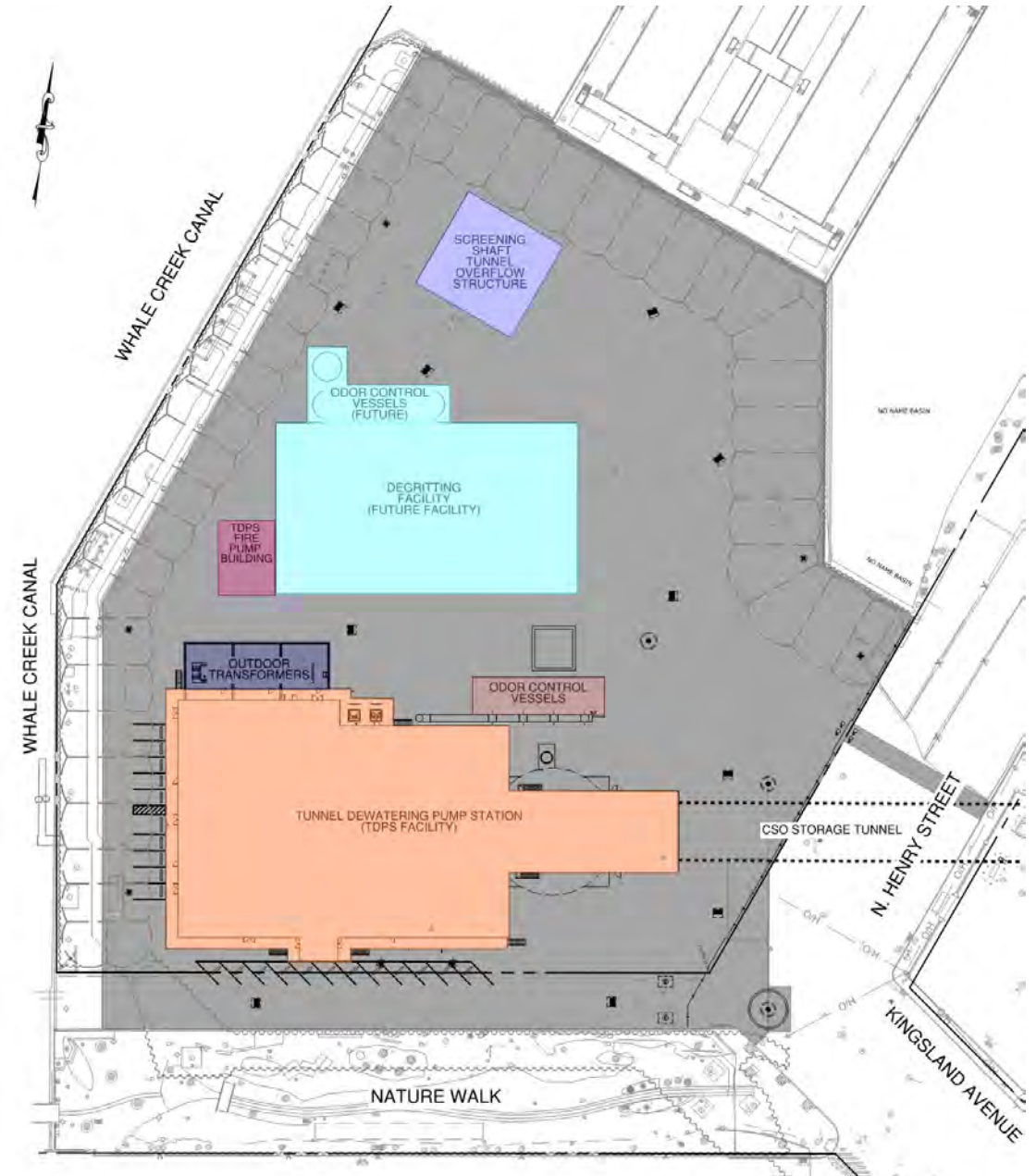
TDPS Conceptual Layout

Scope of Work:

- Construction of Tunnel Dewatering Pump Station (TDPS Facility) and screening facility
- Construction of odor control equipment
- Screening shaft tunnel overflow structure
- Associated electrical, mechanical, and control equipment

LEGEND:

	NEW ASPHALT PAVEMENT
	TDPS FACILITY
	ODOR CONTROL
	OVERFLOW STRUCTURE
	SPACE RESERVED FOR FUTURE FACILITY



Environmental Impact Statement (EIS)

Impact Categories Assessed	
Land Use, Zoning, and Public Policy	Solid Waste and Sanitation Services
Socioeconomic Conditions	Energy
Community Facilities and Services	Transportation
Open Space and Recreation	Air Quality
Shadows	Greenhouse Gas Emissions
Historic and Cultural Resources	Noise
Urban Design and Visual Resources	Public Health
Natural Resources	Neighborhood Character
Hazardous Materials	Environmental Justice
Mitigation	Alternatives

Link to DEIS:

<https://www.nyc.gov/site/dep/about/newtown-creek-cso-storage-tunnel-project.page>

Environmental Impact Statement (EIS)

Impact Categories Assessed	
Land Use, Zoning, and Public Policy	Solid Waste and Sanitation Services
Socioeconomic Conditions	Energy
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Natural Resources	Neighborhood Character
Hazardous Materials	Environmental Justice
Mitigation	Alternatives

Link to DEIS:

<https://www.nyc.gov/site/dep/about/newtown-creek-cso-storage-tunnel-project.page>

ULURP Process

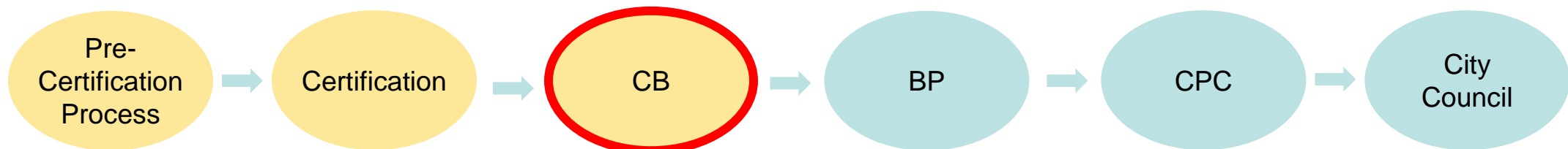
Project was certified into ULURP on September 15 and is currently in the Community Board review phase

Pre-Certification Milestones:

- Draft Scope of Work Published – February 5, 2025
- Scoping Meeting Held – March 12, 2025

Key Schedule Milestones:

- September 2025: Draft Environmental Impact Statement (EIS) complete
- September 2025: ULURP application certified, begin City review
- February 2026: Final Environmental Impact Statement (EIS) complete
- April 2026: ULURP Completion



Current Schedule

Milestone	Date/Timeframe
ULURP Certification (Public Review Begins)	September 15, 2025
Community Boards BK1, QN2 and QN5 Review (60 Days)	September – November
Queens and Brooklyn Borough Presidents Review (30 Days)	November – December
City Planning Commission Review (60 Days) – <i>CPC Public Hearing/DEIS Hearing</i>	December – February 2026
<i>Final Environmental Impact Statement Issued</i>	February 2026
City Council Review (50 Days)	February – April 2026
ULURP Complete	April 2026

Land Acquisition and Property Construction Schedule

[illegible]

ULURP Complete

Questions?

99 SUTTON STREET

BSA CAL. Nos. 2025-31-BZ, 2025-32-A AND 2025-33-A

BROOKLYN COMMUNITY BOARD 1 – LAND USE

October 21, 2025



PROJECT SUMMARY

This variance application is proposed pursuant to Zoning Resolution (ZR) Section 72-21 regarding 99 Sutton Street (Block 2658, Lot 26 or the “Premises”).

The applicant seeks to legalize 10 units on the lower level of the existing four-story plus cellar residential building, contrary to ZR Sections 42-10, 43-12, and 54-31, as well as HMC Section 27-2082 and MDL Section 34.6. The following DOB objections were issued:

- 1. Residential use in UG II is not permitted as-of-right in an M1-2 district; contrary to ZR 42-10.*
- 2. Residential occupancy in the cellar* for dwelling purposes shall be counted as "floor area" and increases the degree of FAR non-compliance; contrary to ZR 43-12 & 54-31.*
- 3. Residential occupancy in basement / cellar does not provide adequate adjacent space; contrary to HMC 27-2082.*
- 4. Residential occupancy in the basement / cellar does not provide adequate adjacent space; contrary to MDL 34.6*

* The Appeals Application is currently being challenged in NYS Supreme Court and is the subject of an Article 78 Action (Index No. 154128/2025). Although for purposes of this variance application the applicant utilizes the term “cellar” for the lowest level of the building at the Premises, the applicant maintains its belief that the lowest level is in actuality a basement, and use of the term cellar herein should not be deemed an admission in any respect. The applicant expressly challenges this designation as a cellar, as set forth in the ongoing Article 78 action, and reserves the right to continue challenging this designation until a final, non-appealable judicial determination regarding the subject matter of the Article 78 has been issued.

BACKGROUND

- **2000** – DOB application filed to convert an existing factory building into 31 Interim Multiple Dwellings (IMD) and to change its use from manufacturing to residential (the “2008 Application”).
- **2002** – DOB audit including the 2008 Application.
 - DOB plans indicate basement including bedrooms, recreational space and accessory uses.
- **2008** – Certificate of Occupancy (CO) No. 301091734F issued.
 - Under NYC Loft Law, permitted seven units on 1st floor, eight units on 2nd floor, eight units on 3rd floor, eight units on the 4th floor, and a storage / accessory recreation room in the basement.
- **2011** – Applicant filed DOB Alt-1 application to “obtain a corrected C of O, revising the IMD status to Class “A” apartments, as required by agency.”
 - No-work application to legalize subdivision of the original 31 units into 48 units, with 10 of the new units on the lowest level.
 - Application later amended as no-work application to convert 31 IMD units to 48 Class A dwelling units.
- **2012** – DOB audit and 2002 DOB audit rescinded per CO issued 5/29/2012 (CO No. 320285188F). *
- **2023** – BSA Appeals application (BSA Cal. No. 2023-40-A).
 - NYC DOB requested the modification of CO No. 320285188F (effective 5/29/2012), which permitted 48 Class A apartments and accessory storage.
 - The Board granted the Appeals application on 10/21/2024, modifying the 2012 CO to remove 10 dwelling units located within the cellar.

***2012 - 2024** – CO no. 320285188F reflects legal units in the basement.

EXISTING / PROPOSED SITE CONDITIONS

- The Premises is located in an M1-2 zoning district
- The Premises maintains a four-story interim multiple dwelling built in or around 1931, containing 63 units.
- The building located at the Premises has approximately 53,452.04 SF (3.82 FAR) of zoning floor area.
- The proposed variance is requested in order to legalize the residential units in the cellar level of the existing building located at the Premises.
 - Cellar – five studio apartments, five one-bedroom apartments, and a storage / laundry room.
 - Cellar units have been legally occupied since the 2012 CO was issued.

BSA VARIANCE – ZR SECTION 72-21

- (a) Unique Conditions
- (b) Reasonable Return
- (c) Character of the Neighborhood
- (d) Self-created Hardship
- (e) Minimal Variance



THE NEW YORK CITY PLANNING COMMISSION

The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

M - MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

06-02-2022 C 210299 ZMK

For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For Inclusionary Housing designated areas and Mandatory Inclusionary Housing areas on this map, see APPENDIX F.

8d	9b	9d
12c	13a	13c
12d	13b	13d

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NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: www.nyc.gov/planning or contact the Zoning Information Desk at (212) 720-3291.

99 Sutton Street, Brooklyn



NYC Digital Tax Map

Effective Date : 11-27-2018 10:35:25

End Date : Current

Brooklyn Block: 2658

Legend

- | | |
|--|---------------------------|
| | Streets |
| | Miscellaneous Text |
| | Possession Hooks |
| | Boundary Lines |
| | Lot Face Possession Hooks |
| | Regular |
| | Underwater |
| | Tax Lot Polygon |
| | Condo Number |
| | Tax Block Polygon |



99 Sutton Street, Brooklyn
Radius Diagram / Land Use Map

Block: 2658, Lot: 26 Zoning District: M1-2
Zoning Map: 13a Special District: n/a

Zoning Districts and Commercial Overlays

C1-1

C2-1

C1-2

C2-2

C1-5

C1-3

C2-3

C1-4

C2-4

C2-5

Zoning District Boundary

Special District Boundary

R7A

Zoning District Labels

Land Uses

One and Two-Family Homes

Multiple Dwelling

Commercial

Mixed Use
(Residential/Commercial)

Manufacturing

Open Space / Park Land

Institutional / Community Facility

Parking / Automotive

Vacant

Lot and Building Information

#

Lot Numbers (within radius)

###

Block Numbers

I, II, III

Story Height

Md

Multiple Dwelling

D

Dwelling

R

Retail

G

Garage

C

Commercial

I

Industrial

M

Manufacturing

W

Warehouse

A

Auto

Cf

Community Facility

Data Sources

Land Use and Building Information: MapPLUTO 2024v3.1 from NYC DCP
Zoning Districts: NYC DCP, file dated 9/1/2024
Digital Tax Map: NYC DOF, file dated 4/11/2024
Building Footprints: NYC DoITT, file dated 11/2/2024





99 Sutton Street, Brooklyn

View 1

Urban Cartographics

Photographed by: August Nastasi on October 21, 2024



99 Sutton Street, Brooklyn
View 2

Urban Cartographics
Photographed by: August Nastasi on October 21, 2024



99 Sutton Street, Brooklyn
View 3

Urban Cartographics
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99 Sutton Street, Brooklyn
View 4

Urban Cartographics
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99 Sutton Street, Brooklyn
View 6

Urban Cartographics
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EXISTING / PROPOSED PLANS

ZONING & BLDG. CODE DATA & ANALYSIS

ADDRESS: 101 SUTTON STREET
100'-0"N OF NASSAU AVE.
BROOKLYN, NY 11222

BLOCK: 2658
LOT: 26
MAP: 13a
ZONE: M1-2
C.B: 301
BIN #: 3330159
C OF O: 320285188F
LOT SIZE: 100.0' X 140.0'
LOT AREA: 14,000 SQ/FT
EXIST. BLDG. FOOTPRINT: 95.0' X 115.0' = 10,925.0 SF

USE GROUP: 2,5
OCC. GROUP: J-1,J-2, R-1,R-2
CONSTR. CL: 6 HEAVY TIMBER
FIRE INDEX: 1
INSIDE FIRE DISTRICT
OUTSIDE ALL OTHER SPECIAL PURPOSE DISTRICTS

SCOPE OF WORK:
TO OBTAIN AN AMENDED C OF O FOR THE EXISTING 5 STORY RESIDENTIAL BUILDING.
NO CHANGE IN BULK OR EGRESS

TOTAL BUILDING AREA				
	GROSS AREA	DEDUCTIONS	ZONING AREA	F.A.R.
CELLAR	12,942.94 SQ. FT.	2,414.8 SQ. FT.	10,528.14 SQ. FT.	0.75
1ST FLOOR	10,953.75 SQ. FT.	234.69 SQ. FT.	10,719.06 SQ. FT.	0.77
2ND FLOOR	10,953.75 SQ. FT.	208.26 SQ. FT.	10,744.49 SQ. FT.	0.77
3RD FLOOR	10,953.75 SQ. FT.	209.92 SQ. FT.	10,833.03 SQ. FT.	0.77
4TH FLOOR	10,953.75 SQ. FT.	237.23 SQ. FT.	10,719.05 SQ. FT.	0.77
ROOF	1,063.79 SQ. FT.	1,063.79 SQ. FT.	0.00	0.00
TOTALS	57,821.73 SQ. FT.	4,369.69 SQ. FT.	53,452.04 SQ. FT.	3.82

57,821.73(GROSS AREA) - 14,897.71 (DEDUC.) = 42,924.56 SF(ZONING AREA)

42-00 GENERAL PROVISIONS:
USE GROUPS PERMITTED IN MANUFACTURING DISTRICTS
LIGHT MANUFACTURING M1 - USE GROUPS 4-14,16-17

PROPOSED USE GROUP 2,5 THEREFORE OK

CHAPTER 5: RESIDENTIAL CONVERSION OF EXISTING NON- RESIDENTIAL BUILDINGS IN CERTAIN COMMUNITY DISTRICTS IN BROOKLYN

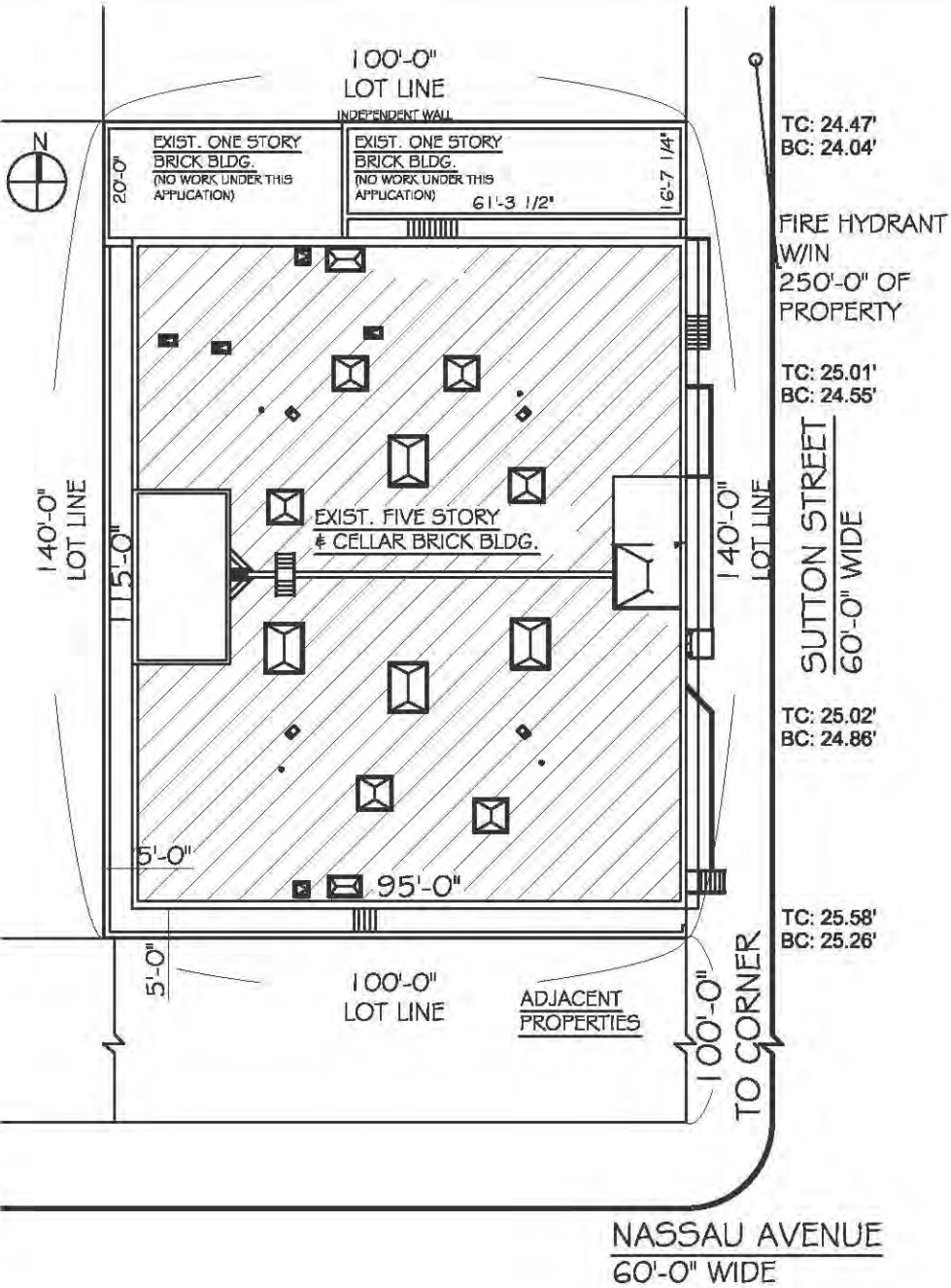
15-026 SPECIAL BULK REGULATIONS FOR CERTAIN PRE- EXISTING DWELLING UNITS. JOINT LIVING-WORK QUARTERS FOR ARTISTS AND LOFT DWELLINGS

THE MINIMUM SIZE, YARD AND DENSITY REQUIREMENTS MAY BE REPLACED BY THE REQUIREMENTS OF THIS SECTION FOR DWELLING UNITS, JOINT LIVING-WORK QUARTERS FOR ARTISTS OF LOFT DWELLINGS:

(2) THAT ARE REGISTERED INTERIM MULTIPLE DWELLINGS

BASE PLANE CALCULATION

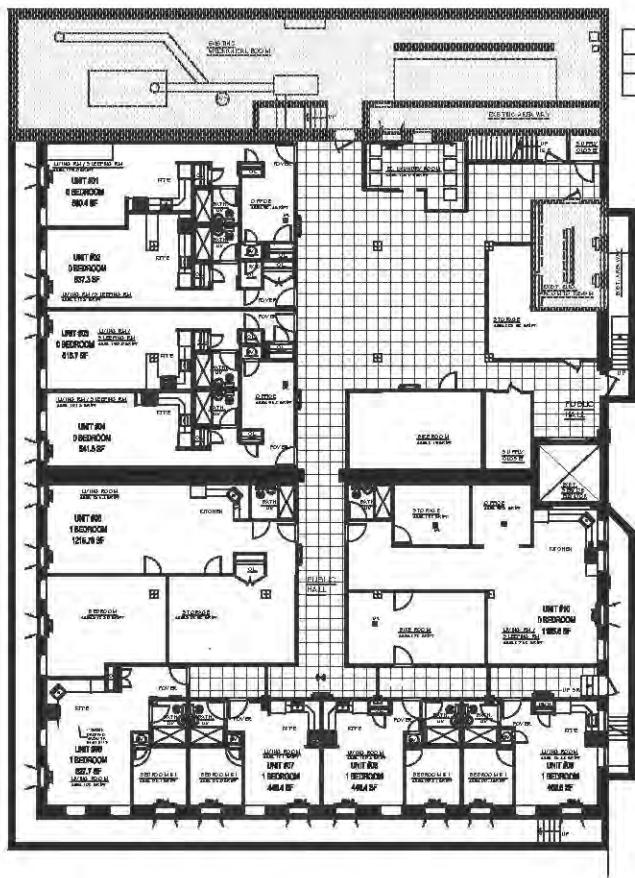
24.93 + 21.23 + 21.08 + 26.19 =93.43/4 = 23.36'
THEREFORE PROPOSED BASE PLANE IS 23.36'



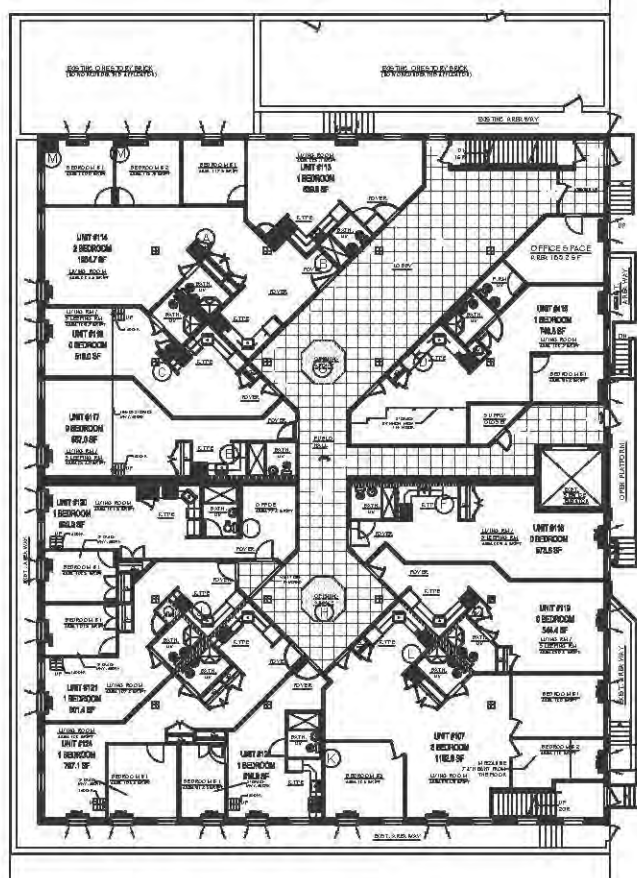
1 EXISTING SITE PLAN
1/8" = 1'-0"

drawn by OM	checked by RMS	title ZONING	date 05/05/2025
SCARANO ARCHITECT PLLC 110 York Street, Brooklyn, NY 11201 Phone (718) 222-0322 Fax (718) 222-4486		project 99 SUTTON STREET, BROOKLYN NY BLOCK: 2658 LOT: 26	job # 99257 scale AS NOTED
			dwg # A-001.00 15

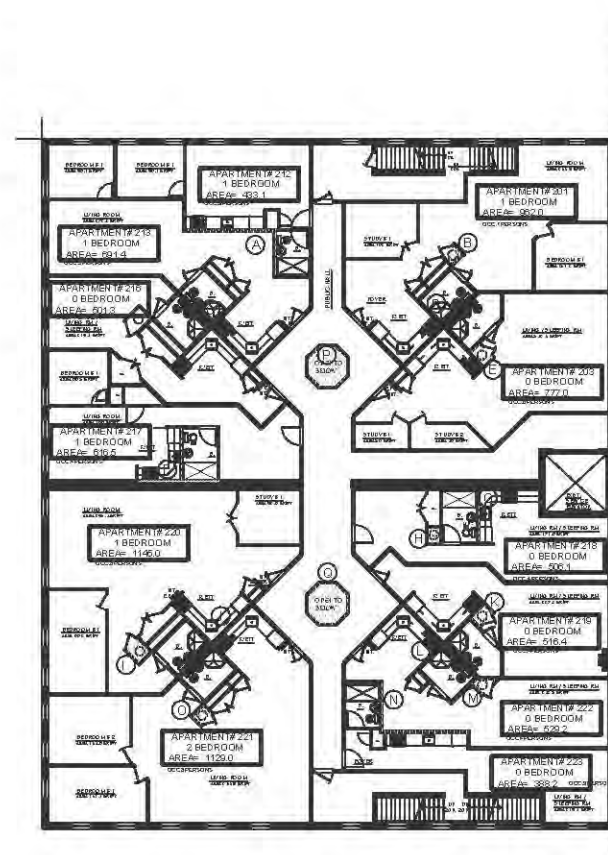




DEDUCTION AREA CELLAR		
	DEDUCTION AREA	REASON
TOTAL	2,414.80 SQ. FT.	MECH. CELLAR



DEDUCTION AREA 1ST FLOOR		
	DEDUCTION AREA	REASON
A	12.0 SQ. FT.	12-10 (5)
B	12.0 SQ. FT.	12-10 (5)
C	12.0 SQ. FT.	12-10 (5)
D	11.5 SQ. FT.	12-10 (5)
E	12.6 SQ. FT.	12-10 (5)
F	17.9 SQ. FT.	12-10 (5)
G	43.5 SQ. FT.	OPEN TO BELOW
H	43.5 SQ. FT.	OPEN TO BELOW
I	12.6 SQ. FT.	12-10 (5)
J	13.4 SQ. FT.	12-10 (5)
K	15.4 SQ. FT.	12-10 (5)
L	16.5 SQ. FT.	12-10 (5)
M	9.6 SQ. FT.	12-10 (5)
TOTAL	234.69 SQ. FT.	

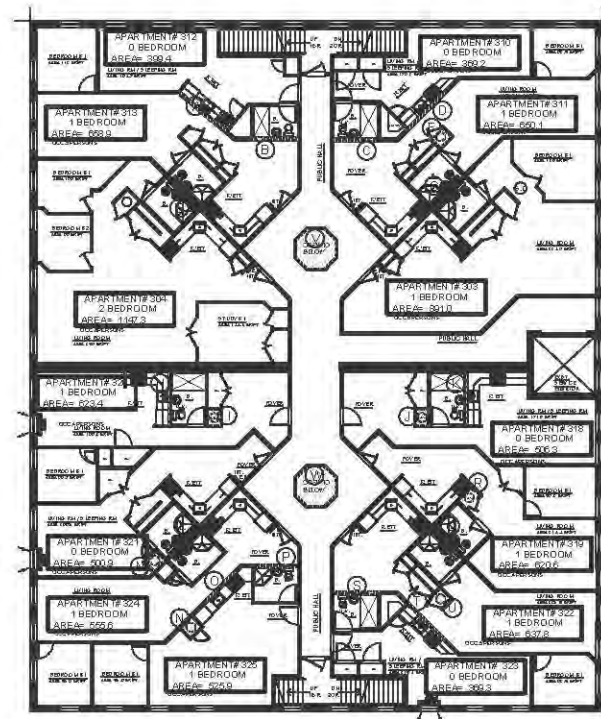


DEDUCTION AREA 2ND FLOOR		
	DEDUCTION AREA	REASON
A	11.13 SQ. FT.	12-10 (5)
B	5.0 SQ. FT.	12-10 (5)
C	12.03 SQ. FT.	12-10 (5)
D	15.83 SQ. FT.	12-10 (5)
E	6.17 SQ. FT.	12-10 (5)
F	8.82 SQ. FT.	12-10 (5)
G	4.29 SQ. FT.	12-10 (5)
H	5.0 SQ. FT.	12-10 (5)
I	8.21 SQ. FT.	12-10 (5)
J	16.34 SQ. FT.	12-10 (5)
K	6.16 SQ. FT.	12-10 (5)
L	16.58 SQ. FT.	12-10 (5)
M	5.14 SQ. FT.	12-10 (5)
N	11.12 SQ. FT.	12-10 (5)
O	5.0 SQ. FT.	12-10 (5)
P	35.88 SQ. FT.	
Q	36.57 SQ. FT.	
TOTAL	209.26 SQ. FT.	

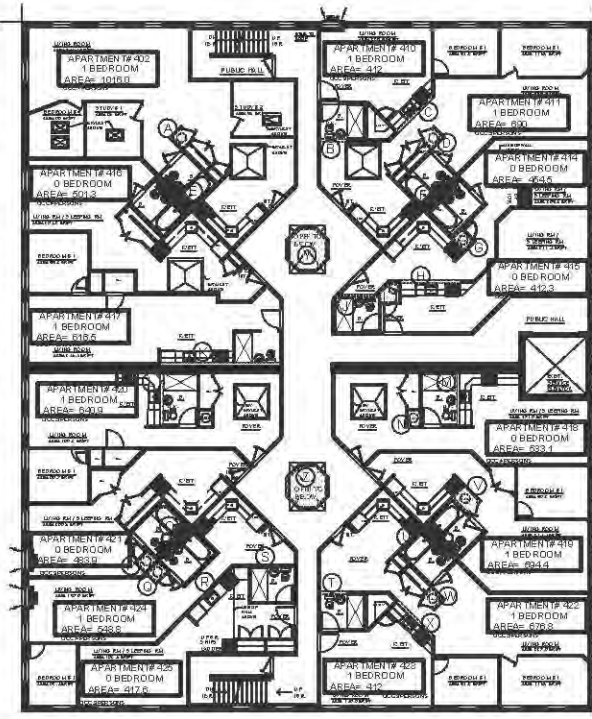
1 PROPOSED CELLAR PLAN DEDUCTION AREA
1/32" = 1'-0"

2 PROPOSED 1ST FLOOR PLAN DEDUCTION AREA
1/32" = 1'-0"

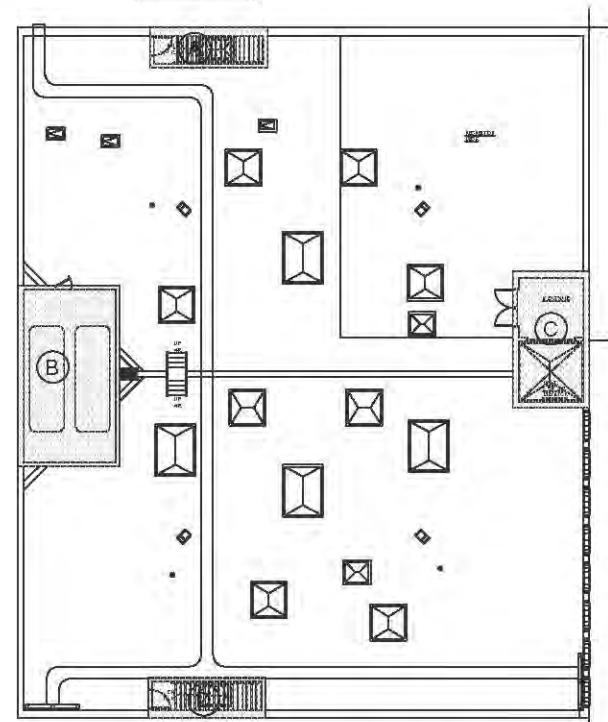
3 EXISTING 2ND FLOOR PLAN DEDUCTION AREA
1/32" = 1'-0"



DEDUCTION AREA 3RD FLOOR		
	DEDUCTION AREA	REASON
A	5.08 SQ. FT.	12-10 (5)
B	3.91 SQ. FT.	12-10 (5)
C	3.67 SQ. FT.	12-10 (5)
D	4.26 SQ. FT.	12-10 (5)
E	12.08 SQ. FT.	12-10 (5)
F	5.00 SQ. FT.	12-10 (5)
G	15.83 SQ. FT.	12-10 (5)
H	4.29 SQ. FT.	12-10 (5)
I	5.00 SQ. FT.	12-10 (5)
J	5.00 SQ. FT.	12-10 (5)
K	4.29 SQ. FT.	12-10 (5)
L	16.34 SQ. FT.	12-10 (5)
M	5.00 SQ. FT.	12-10 (5)
N	5.42 SQ. FT.	12-10 (5)
O	3.37 SQ. FT.	12-10 (5)
P	3.67 SQ. FT.	12-10 (5)
Q	16.58 SQ. FT.	12-10 (5)
R	5.65 SQ. FT.	12-10 (5)
S	3.92 SQ. FT.	12-10 (5)
T	4.18 SQ. FT.	12-10 (5)
U	5.00 SQ. FT.	12-10 (5)
V	35.88 SQ. FT.	
W	36.57 SQ. FT.	
TOTAL	209.92 SQ. FT.	



DEDUCTION AREA 4TH FLOOR		
	DEDUCTION AREA	REASON
A	5.0 SQ. FT.	12-10 (5)
B	2.17 SQ. FT.	12-10 (5)
C	4.11 SQ. FT.	12-10 (5)
D	5.00 SQ. FT.	12-10 (5)
E	16.35 SQ. FT.	12-10 (5)
F	18.36 SQ. FT.	12-10 (5)
G	5.33 SQ. FT.	12-10 (5)
H	4.38 SQ. FT.	12-10 (5)
I	3.0 SQ. FT.	12-10 (5)
J	8.50 SQ. FT.	12-10 (5)
K	6.75 SQ. FT.	12-10 (5)
L	4.29 SQ. FT.	12-10 (5)
M	4.29 SQ. FT.	12-10 (5)
N	18.08 SQ. FT.	12-10 (5)
O	14.79 SQ. FT.	12-10 (5)
P	8.88 SQ. FT.	12-10 (5)
Q	5.00 SQ. FT.	12-10 (5)
R	5.00 SQ. FT.	12-10 (5)
S	13.7 SQ. FT.	12-10 (5)
T	3.66 SQ. FT.	12-10 (5)
U	2.17 SQ. FT.	12-10 (5)
V	5.00 SQ. FT.	12-10 (5)
W	40.9 SQ. FT.	12-10 (5)
X	5.00 SQ. FT.	12-10 (5)
Y	35.88 SQ. FT.	
Z	36.57 SQ. FT.	
TOTAL	237.23 SQ. FT.	



DEDUCTION AREA ROOF		
	GROSS AREA	REASON
A	132.16 SQ. FT.	12-10 (2)
B	510.00 SQ. FT.	12-10 (2)
C	288.41 SQ. FT.	12-10 (2)
D	132.22 SQ. FT.	12-10 (2)
TOTAL	1,063.79 SQ. FT.	12-10 (2)

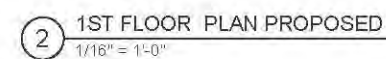
4 EXISTING 3RD FLOOR PLAN DEDUCTION AREA
1/32" = 1'-0"


5 EXISTING 4TH FLOOR PLAN DEDUCTION AREA
1/32" = 1'-0"

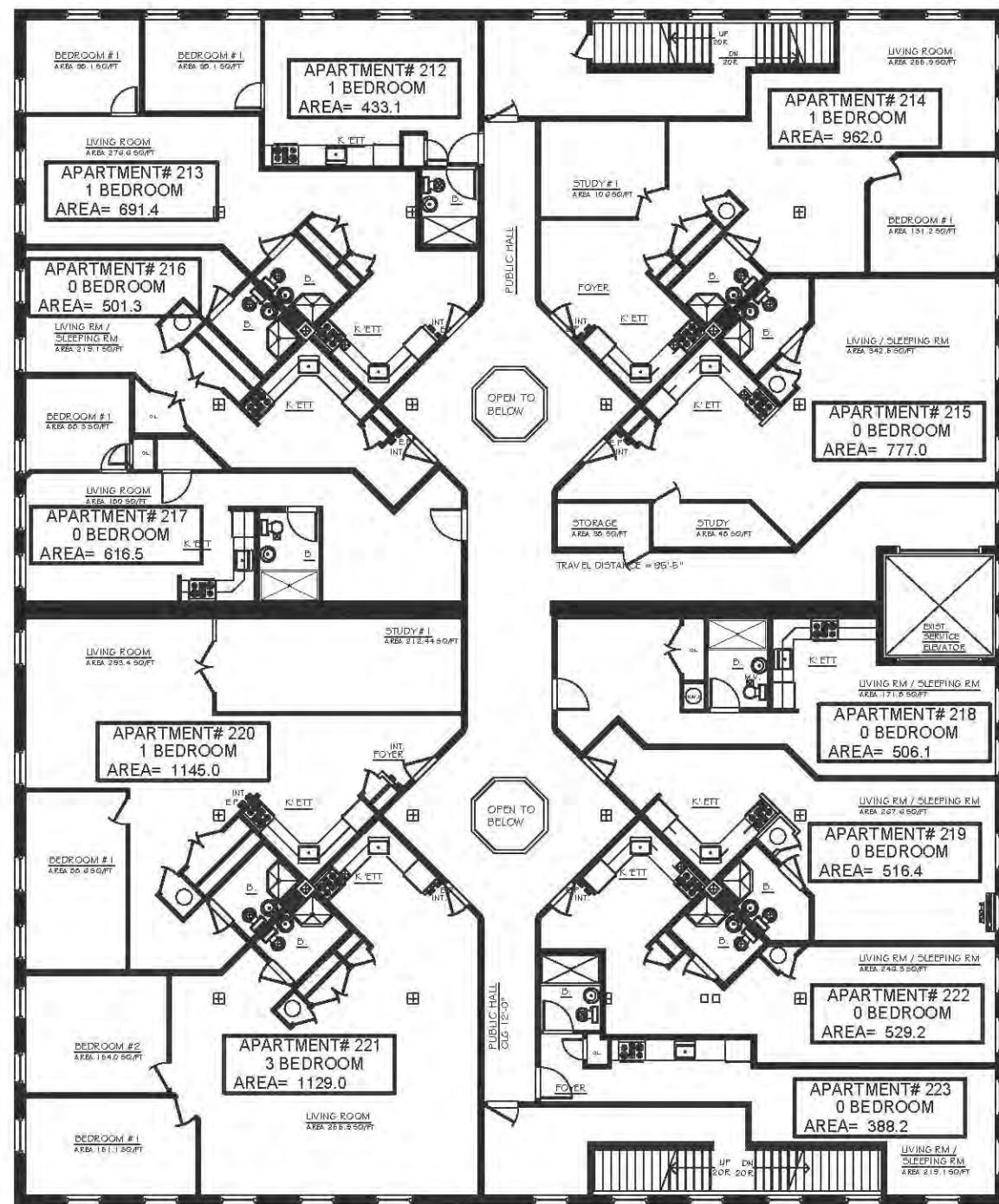
6 EXISTING ROOF PLAN DEDUCTION AREA
1/32" = 1'-0"

drawn by OM	checked by RMS	title DEDUCTION AREA EXISTING/PROPOSED	date 05/05/2025
project SCARANO ARCHITECT PLLC 110 York Street, Brooklyn, NY 11201 Phone (718) 222-0322 Fax (718) 222-4486		job # 99257 scale AS NOTED	
BLOCK: 2658 LOT: 26		dwg # A-002.00 17	



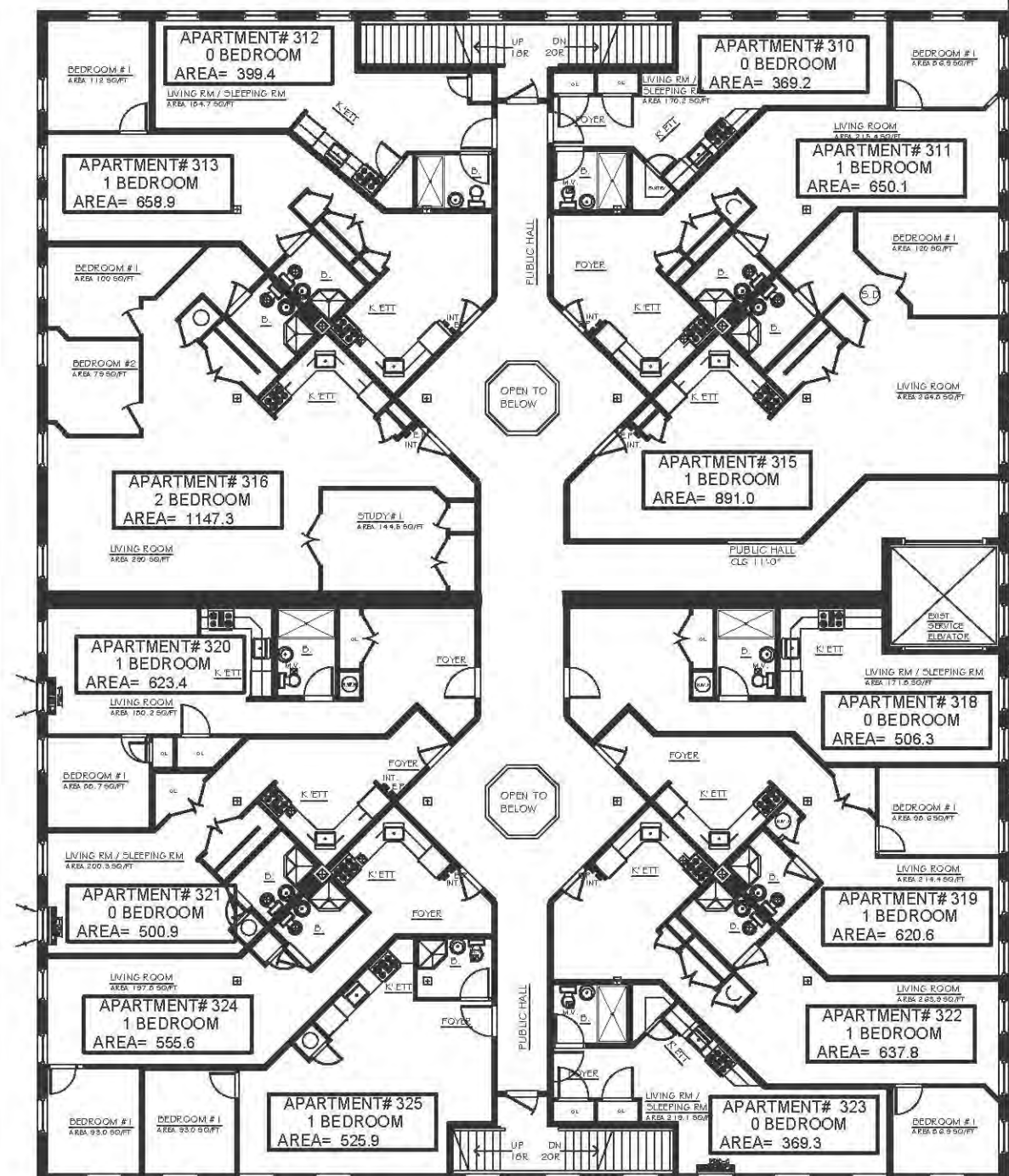


drawn by OM	checked by RMS	title PROPOSED FLOOR PLANS		date 05/05/2025	
SCARANO ARCHITECT PLLC 110 York Street, Brooklyn, NY 11201 Phone (718) 222-0322 Fax (718) 222-4486		project 99 SUTTON STREET, BROOKLYN NY BLOCK: 2658 LOT: 26	job # 99257	dwg # A-100.00 18	
			scale AS NOTED		



NOTE:
EXISTING NO WORK

1 2ND FLOOR PLAN EXISTING
1/16" = 1'-0"

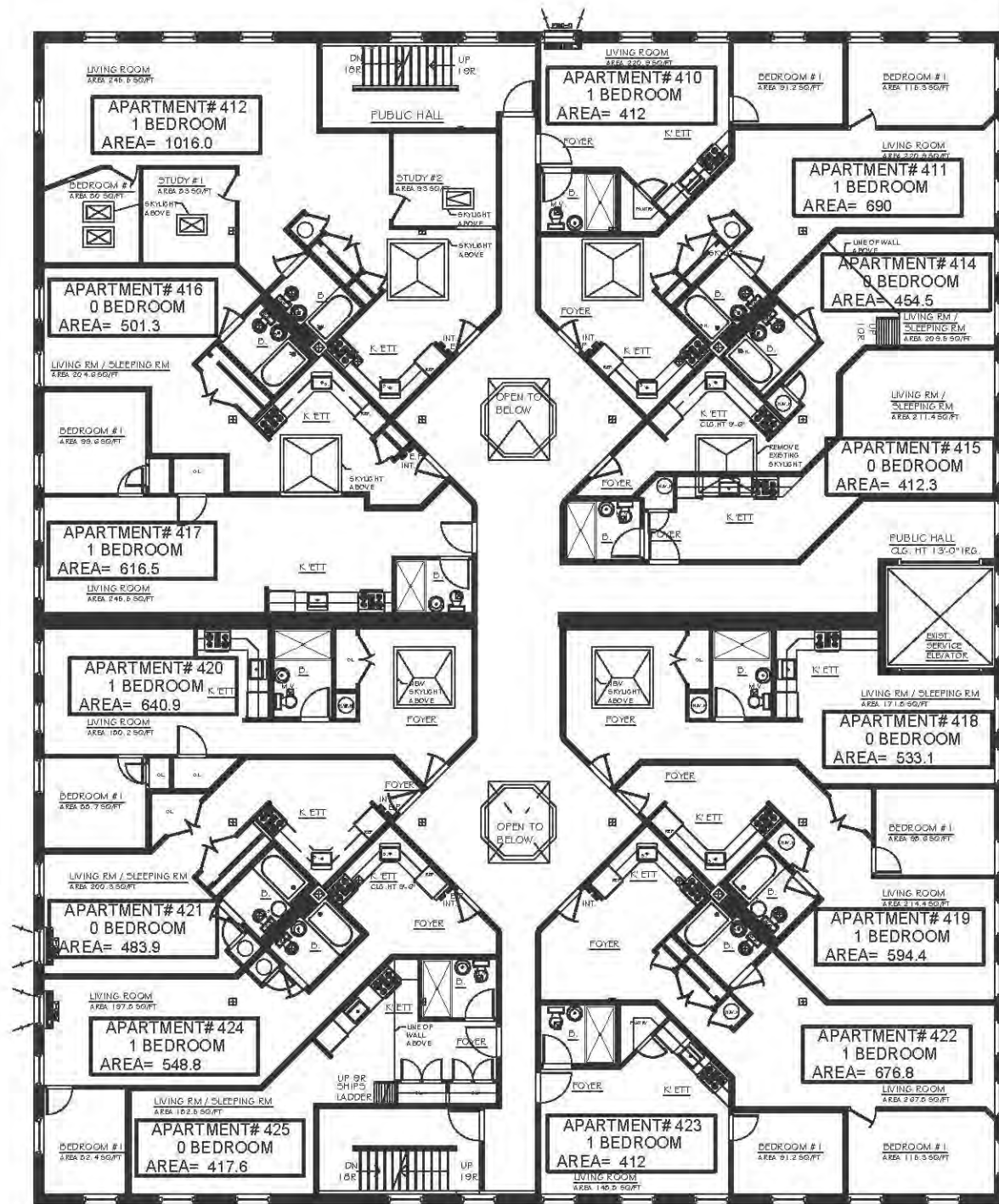


NOTE:
EXISTING NO WORK

2 3RD FLOOR PLAN EXISTING
1/16" = 1'-0"

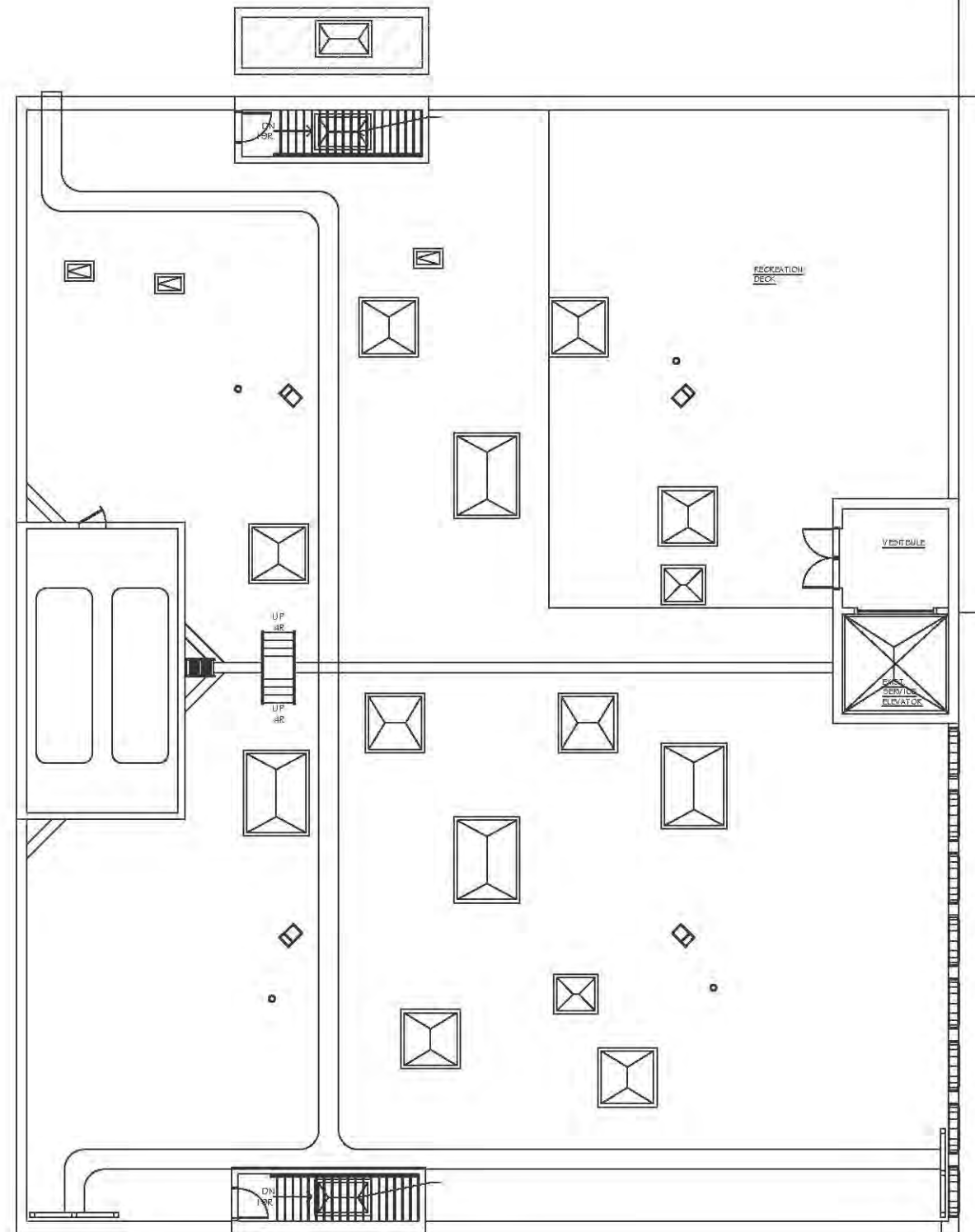
drawn by OM	checked by RMS	title EXISTING FLOOR PLANS	date 05/05/2025
project SCARANO ARCHITECT PLLC 110 York Street, Brooklyn, NY 11201 Phone (718) 222-0322 Fax (718) 222-4486		project 99 SUTTON STREET, BROOKLYN NY BLOCK: 2658 LOT: 26	
scale AS NOTED		job # 99257	dwg # A-101.00
		scale AS NOTED	19





NOTE:
EXISTING NO WORK

1 4TH FLOOR PLAN EXISTING
1/16" = 1'-0"



NOTE:
EXISTING NO WORK

2 ROOF PLAN EXISTING
1/16" = 1'-0"

drawn by OM	checked by RMS	title EXISTING FLOOR PLANS	date 05/05/2025
project SCARANO ARCHITECT PLLC 110 York Street, Brooklyn, NY 11201 Phone (718) 222-0322 Fax (718) 222-4486		job # 99257 scale AS NOTED	
dwg # A-102.00 20		BLOCK: 2658 LOT: 26	





1 BUILDING (EAST) ELEVATION
3/32" = 1'-0"

drawn by OM	checked by RMS	title BUILDING ELEVATION	date 05/05/2025
project SCARANO ARCHITECT PLLC 110 York Street, Brooklyn, NY 11201 Phone (718) 222-0322 Fax (718) 222-4486		99 SUTTON STREET, BROOKLYN NY BLOCK: 2658 LOT: 26	job # 99257
			dwg # A-200.00
			scale AS NOTED
			21



ULURP, CALENDAR OR REFERENCE # _____
APPLICANT: _____
LOCATION: _____
REQUEST: _____

COMMUNITY BOARD NO. 1 QUESTIONNAIRE FOR LAND USE ITEMS

**Please complete this questionnaire and return to District Manager Johanna Pulgarin at
CB #1's Headquarters, 435 Graham Avenue, Brooklyn, New York 11211.
Feel Free to contact the Board's Office at (718) 389-0009
If you have any questions or require additional information**

PROPOSED ACTION: What is the proposed ULURP, or BSA action (i.e. an amendment to the zoning map, a siting of a city facility, a zoning variance, etc.)? BSA Variance pursuant to ZR Section 72-21.

1. For Ownership:

a) Who are the owners? 99 Sutton LLC.

b) If a corporation, who are the principles? N/A.

c) What kind of a corporation? N/A.

2. For Developers:

a) Who is the developer if it is different than the owner? 99 Sutton LLC.

b) What is their experience with this type of development? Own 214 Franklin Street.

c) Is there a sponsor(s) of the project (i.e.. a CBO, NYC Housing Partnership, NYCHA?)
N/A.

3. Financing:

d) What is the cost of the project? N/A.

e) How is it financed? N/A.

f) Will there be tax abatements? Subsidies To be determined.

3. Land

a) What information can be provided about the land? Who owns the land? _____

The Premises is located on Sutton Street between Norman Avenue and Nassau Avenue with approximately 140 feet of frontage, a lot depth of 100 feet and a lot area of approximately 14,000 square feet. The Premises is located in an M1-2 zoning district. 99 Sutton LLC is the owner.

b) What is the condition, status and uses on the property and the zoning? Use groups? _____

The lot maintains a four-story interim multiple dwelling built in or around 1931, with 63 units in the building. The current building has approximately 53,452.04 square feet (3.82 FAR) of zoning floor area.

c) Has there been an environmental assessment or scope of an impact statement prepared for the proposed action? Yes.

d) Will the land be purchased? What is the cost of the land? N/A.

When was the property purchased? 2000. What was the cost? N/A, maintain existing conditions.

e) Will demolition be needed to clear the land? No.

f) Is the project in a special district? Historic District? Is it in an Urban Renewal Area? No.

g) Will unused development rights be utilized or sold (i.e. air rights)? _____

No.

5. Construction:

a) What type of construction will be used (i.e. rehab/new) and methods (i.e. pre-form cast concrete, brick) N/A.

b) What is the time frame of the work (i.e. begin/end, etc.)? N/A.

c) Who will be doing the work (i.e. firm, sweat equity, student interns)? N/A.

6. Project Information:

a) Describe the project in terms of the proposed use(s) such as retail, office, commercial, loft, community facility, etc.)? _____

The applicant requests a variance in order to legalize the residential units in the lowest level of the existing building located at the Premises. The lowest level contains five studio apartments and five one-bedroom apartments as well as a storage and laundry room.

- b) If the project is residential, how many dwelling units are proposed and what is the number of bedrooms mix? What are the unit sizes? _____

The proposed variance seeks the legalization of ten residential dwelling units in the lowest level - 5 studio and 5 one-bedroom units. The studio units range between 516.7 - 1195.8 sf, and the one-bedroom units range between 446.4 -1215.7.

- c) What are the projected costs of the rentals? If the units are to be condominium or one-to- three family house, what is the projected purchase price? N/A.

- d) Will there be financing for the units? What are the terms? N/A.

- e) Who is the lender? N/A.

7. Marketing:

- a) How will the project be marketed? Advertised? N/A.

- b) If newspaper, which ones? N/A.

- c) When will the projects be marketed (before, during or after construction)? N/A.

- d) What will be the outreach? N/A.

8. Project Characteristics:

- a) Will the project be consistent with the surrounding buildings (i.e. height, FAR/Floor Area Ratio, conforming)? N/A - existing four story building to remain.

- b) Will the project be handicap accessible? Explain specifics: _____

- c) Special populations for the project (i.e. homeless, low-income, SRO, etc.) N/A.

9. Open Space/Parking Amenities:

- a) Will there be open space provided with the project? What type (i.e. rear yard, park, and waterfront)?
Will there be public access? Open space does not exist and is not proposed at the Premises.

- b) Will there be landscaping? Fencing? Street tree planting? All existing landscaping, fencing and tree planting to remain.

- c) Will parking be provided for (indoor, outdoor, on-street)? Will a waiver be requested? _____
Parking does not exist and is not proposed at the Premises.

- d) What amenities, if any, will be incorporated with the project? How were they developed and with who
(i.e. tenants, residents, community group)? _____

The existing building to remain includes a laundry room, bike room, storage and a public space for residents in the lowest level.

10. Building/Lot -currently undergoing any renovations, demolition, construction (of any size)?

None.

11. Any violations on the building or lot (i.e. Department of Buildings, Department of Environmental Protection, EPA, etc.)?

DOB - Stop work order, violation for failure to certify correction of Class 1 violation.

12. In addition to the BSA's Environmental Report for similar document). Please provide the following information:

- a) List previous industrial uses and processes: _____

- b) List chemicals and quantities used in and stored for those processes:

c) List Hazardous Waste Disposal permits for prior operators: NED INFO.

d) List any proposed remediation: _____

e) Please provide any ASTM Phase I & II information: _____

PREPARED BY: Richard Lobel TITLE: Land Use Counsel

SIGNATURE: _____ DATE: 10/17/2025

CONTACT#(212) 725-2727 X 101 FAX#() _____

EMAIL: rlobel@sheldonlobelpc.com

Community Board #1

Supplemental Land Use Application Information

Special permit actions - on a separate sheet, list all waivers, etc. requested

A. Project size

Commercial: (sq ft)	<u>0 sq ft</u>
Manufacturing (sq ft)	<u>0 sq ft</u>
Residential (sq ft)	<u>42,924.56 sq ft</u>
Total (sq ft)	<u>42,924.56 sq ft</u>
Height (feet)	<u>58'-5"</u>
Height (stories)	<u>4</u>

(for projects with more than one building, provide the the above data for each building)

8. Residential projects

	# of units	# affordable
0 bedroom (studio)	<u>27</u>	<u> </u>
1 bedroom	<u>32</u>	<u> </u>
2 bedroom	<u>2</u>	<u> </u>
3 bedroom	<u>2</u>	<u> </u>
4 bedroom	<u>0</u>	<u> </u>
Total units	<u>63</u>	<u> </u>

Market-rate units

Rental or condo? rental

Estimated cost/rent psf

(market rate units only)

Affordable units

Rental or condo? N/A

Distribution of affordability by% of **AMI**

C. Open space

	required	proposed
Total area	<u>N/A</u>	<u>N/A</u>
Publicly accessible	<u>N/A</u>	<u>N/A</u>

What are the hours of accessibility for the publicly-accessible open space? _____

Will the publicly-accessible open space be turned over the Department of Parks for operation? _____

D. Parking

Parking - number of spots, number required by zoning

	required	proposed
# of spaces	<u>0</u>	<u>0</u>

E. Environmental

List all environmental issues identified, environmental designations (Little 'E', HAZMAT, brownfield, Super Fund, etc.) and all remediation required _____

F. Additional information

- For all projects, please provide the following information:
- Draft or final EAS/EIS (pdf and one hard copy)
- 15 copies of power point presentation (11 x 17) to meeting
- Copies of power point presentation, architectural plans and renderings (pdf)
- NYS DEP signoff or status letter (waterfront sites only, pdf)
- List of project team (architect, engineer, landscape architect, code consultant, counsel, et al)
- List of all partners, corporation members, shareholders on ownership/development team
- Contact information (name, telephone, fax and email)



COMMUNITY BOARD No. 1

435 GRAHAM AVENUE - BROOKLYN, NY 11211- 8813

PHONE: (718) 389-0009

FAX: (718) 389-0098

Email: bk01@cb.nyc.gov

Website: www.nyc.gov/brooklyn1

HON. ANTONIO REYNOSO
BROOKLYN BOROUGH PRESIDENT



SIMON WEISER
FIRST VICE-CHAIRMAN

DEL TEAGUE
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PHILIP A. CAPONEGRO
MEMBER-AT-LARGE

DEALICE FULLER
CHAIRPERSON

JOHANA PULGARIN
DISTRICT MANAGER

HON. LINCOLN RESTLER
COUNCILMEMBER, 33rd CD

HON. JENNIFER GUTIERREZ
COUNCILMEMBER, 34th CD

October 21, 2025

COMMITTEE REPORT

JOINT ENVIRONMENTAL PROTECTION, HOUSING & PUBLIC HOUSING, PUBLIC SAFETY & HUMAN SERVICES COMMITTEES MEETING NOTICE

TO: Chairperson Fuller and CB1 Board Members

FROM: Stephen Chesler, Environmental Protection Committee Chair
Rabbi David Niederman, Housing & Public Housing Committee Chair
Lloyd Feng, Public Safety & Human Services Committee Chair

RE: Committee Report from September 11, 2025

The Committee met on the evening of September 11, 2025, at 6:00 PM at Swinging Sixties, Senior Center, 211 Ainslie St., Brooklyn, NY.

Members of the Environmental Protection Committee

Chesler Chair; Vega, Co-Chair; Bruzaitis; Espinal; Horowitz; Peterson; Hofmann*; Holowacz*; Torres*(*) *Non board committee member.*

(5 Members constitutes a quorum for this committee)

Present: Chesler, Chair; Vega, Co-Chair; Espinal; Peterson; Hofmann*; Holowacz; Torres*.

Absent: Bruzaitis; Horowitz*.

7 members were present. A quorum was achieved.

Members of the Housing & Public Housing Committee

Rabbi Niederman, Chair; Cabrera Co-Chair; Aguilar; Drinkwater; Foster; Friedman; Goldstein; Gross; Ho; Isaacs; Kawaguchi; Peterson; Capone*; Donato*; Williams*.

(*) *Non board committee member.*

(8 Members Constitute a Quorum for This Committee)

Present: Rabbi Niederman, Chair; Cabrera, Co-Chair; Foster; Peterson; Capone*; Donato*.

Absent: Aguilar; Drinkwater; Goldstein; Gross; Ho; Isaacs; Kawaguchi; Friedman; Williams*.

6 members were present. A quorum was not achieved.

Members of the Public Safety & Human Services Committee

Feng, Chair; Espinal Co-Chair; Aguilar; Barros; Bamonte; Drinkwater; Dybanowski; Indig; Kaminski; Leanza; Aprile*; Judelson*; Rozmus*. (*) *Non board committee member.*

(7 Members Constitute a Quorum for This Committee)

Present: Feng, Chair; Espinal, Co-Chair; Barros; Aprile*; Rozmus*.

Absent: Aguilar; Bamonte; Drinkwater; Dybanowski; Indig; Kaminski; Leanza.

Excused: Judelson*.

5 members were present. A quorum was not achieved.

JOINT MEETING

1) WILLIAMSBURG HOUSES TENANT HEALTH PROBLEMS – CONTINUED:

Committee members and stakeholders will hear status reports from affected residents who are experiencing severe health issues while living in these apartments, review the response to the board's letter to Wavecrest, NYCHA and their contractor and consider strategy and actions going forward. Representatives from local elected officials, appropriate government agencies and outside organizations will potentially be on hand.

Representation from Elected Representatives: Bruno Daniels, Senior Advisor to Brooklyn Borough President Antonio Reynoso. Emely Rodriguez, Director of Operations for State Senator Julie Salazar.

Sam Chiera, Director of Litigation, Communities Resist.

First, there was a **recap of this item and activity to date**. Through 3 Housing Committee meetings in the first part of 2025, and an Environmental Protection Committee meeting in May of 2025, residents and the resident association for the Williamsburg Houses presented a myriad of quality of life issues and problems overall, and severe health problems experienced by 3 sets of residents at 200 Ten Eyck Walk.

- During and after building rehabilitations and ADA-compliant apartment conversions residents cited problematic lead and asbestos removal.

- Mold removal was not done properly and fully.
- Residents are seeing brown water coming out of their sinks, showers and baths.
- Health conditions noted by the residents of 200 Ten Eyck include but are not limited to COPD, sarcoidosis, paralysis, extreme fatigue and liver damage.
- These residents are using supplemental oxygen and mobile carts.
- It is noted that they live on the ground floor above the boiler system.
- In May of 2025 based on a recommendation from the Environmental Protection Committee, the board submitted a letter to Wavecrest (the RAD/PACT management company), NYCHA and HUD, requesting an investigation and remedy of all items.
- In July of 2025 jointly Wavecrest, their contractor MDG and NYCHA responded in writing defending themselves against the claims made in the CB1 letter
- However, these parties did *not* mention the request to investigate the boiler located at 200 Ten Eyck as a potential source of apartment contamination.

In an email from Susan Camarata, CFO of Wavecrest, declining attendance to the September 11th meeting, she solicited further questions from the board. Steve Chesler replied with a request to investigate the boiler and to provide a status on transferring the ailing residents to new apartments at Williamsburg Houses. She never responded to these 2 new follow-up requests. In August HUD responded separately to the board's letter from May, indicating they are requesting a report from NYCHA on all the items noted by the board and taking very seriously and investigating the potential fraud referenced regarding lead and asbestos removal.

On September 2, 2025, the Williamsburg Houses Residents Association wrote to the board (note attached) citing progress with Wavecrest, but noted several problem items continue to persist and asked the board to monitor their resolution:

- Health Conditions
- NYCHA Transfers
- Increased Rent
- Poor Building Maintenance
- City Inspection from outside agencies to verify work.

EPC Chair Steve Chesler regarding investigation of chemical odors at WH, reported that NYC OER researched city and state environmental remedial sites within 400 feet of Williamsburg Houses that could pose a potential migratory contamination effect there. This research came back negative. DEC ordered an inspection of boiler petroleum storage tanks (PSTs, the units are dual system, main source gas, backup source oil) at four sites including 200 Ten Eyck Walk. However, the integrity and functionality of the boilers still need inspection. This is outside the purview of DEC. Their results also returned a negative result for vapors. See an excerpt from the attached report and violations:

“DEC inspected the boiler room at 200 Ten Eyck Walk and spoke with two tenants, a member of the Tenant Association, and members of the Wavecrest management company (Paul Servis and Cerefino Miller). The tenants reported various odors (chemical/sewer, etc.). Most recent odor incident was 2 weeks prior. DEC staff used a photo-ionization detector (PID) as well as a

“multi-gas” meter to screen air inside the 2 apartments but did not detect any readings or smell any unusual odors. The Tenant Association representative indicated that they are working on relocating one of the tenants, the other tenant may refuse relocation.”

“Slight natural gas odor was noted in the boiler room under the 200 Ten Eyck Walk building. Building manager said that a natural gas pipe was damaged around June 2025 when a truck was backing up. National Grid had responded, and repairs had been made. There are 3 boilers - only 1 was running at the time. The boilers have carbon monoxide readers/alarms on top and each boiler vents to pipes that run to the roof. The windows at the boiler level are just used for ventilation of the boiler room.”

Regarding non-vapor related violations. If the violations are not resolved properly and in a timely manner, Wavecrest will incur significant fines:

“Finally, DEC inspected the Petroleum Bulk Storage (PBS) tank associated with the 200 Ten Eyck Walk building. Several paperwork violations were noted (no as-built diagram present on-site, PBS certificate not signed and dated), as well as multiple technical violations such as:

- Interstitial monitoring equipment inoperable, and no interstitial monitoring records were available on-site
- Overfill prevention equipment inoperable
- Fill port catch basin contains water
- Fill port is not color coded

At the meeting resident association president Lucas Greer and many WH residents were in attendance including chronically ill residents living at 200 Ten Eyck Walk, Carmen Vasquez, Aleida Delgado and her daughter, and Roberto, another tenant.

Carmen and Aleida reiterated details about the continuing urgent states of their health. Carmen stated again: I have *never* smoked a cigarette in my entire life, but now I cannot function without supplemental oxygen. Aleida spoke about chronically passing out. Her children are suffering.

Carmen recounted an incident in August in her apartment when the carbon monoxide detector alarm went off. Both she and a visitor became dizzy and nauseous. When the fire department arrived they could not detect carbon monoxide. CB1 Public Safety Committee Chair Lloyd Feng recounted feeling a heaviness in his lungs after doing a site tour of their apartments. Carmen: We have electric stoves. No gas source, except for the boilers. new windows are not better, ventilation is bad. Safety issue with door wide open. We told DEC people that the pipes were covered during the renovation. What happened to the pipes?

Carmen and Aleida have requested transfers to apartments elsewhere at Williamsburg Houses. Approval has *not* been approved by Wavecrest. This is incredible considering their health conditions.

Iris Cabrera: Can we do an independent study? El Puente can organize it. EPC member Laura Hofmann suggested the vapor/odor investigation is limited and should be expanded. We need the right professor. Housing Committee Co-Chair Iris Cabrera suggested El Puente could be a source for procuring and installing air monitors. Steve Chesler suggested NYU as an academic/health

partner, they helped with the Freeman Street vapor/odor problem and the Nuhart Superfund neighborhood health survey.

Housing Committee Chair Rabbi David Niederman recommended a broad health study be performed over the entire complex. The question was how and who could implement such a task. The resident association would need partners to do this. Iris Cabrera suggested a non-profit could help here. Lucas Greer noted St. Nicks is already involved with Williamsburg Houses (they managed the construction). Iris: We can do a door knocking campaign across two days.

Rabbi Niederman: Glad we held this meeting despite Wavecrest and agencies not showing up. When we go to agencies, what information do we have? How many apts are impacted by environmental health issues? 20 buildings, 1600 units in Williamsburg Houses. Do we have samples across different buildings? What is the baseline? We need to establish that in order to assess what is an anomaly? What about a tenant questionnaire? This would be data to bring to electeds and agencies. It is important to have a survey from each of the buildings. Lucas a survey is in development.

Adolfina, women's community grassroots org:

“We are trying to get the survey off the ground but have limited capacity. If you want to volunteer with survey and do door knocking, please email adolfinanyc@gmail.com [or call] 302-897-3889”.

Another key hazardous item that has emerged is **wastewater backup and sewage gases** creating a rancid odor in several WH buildings. Additionally, residents are experiencing brown water in their sinks, showers and baths. These situations are most acute during rain events.

Christine Holowacz: Sulfur smell comes from sewage. Vent pipes may not be functioning well at all, outgassing from sewage. Lucas: waste lines were stuck in the basement that could be backed up impacting the apartments and that the onsite sewage system is not being properly maintained by Wavecrest. He cited a lack of adequate staffing contributing to this situation. Both residents at 200 Ten Eyck Walk (downstream from the wastewater system at 220 Stagg Walk) and those living at 220 Stagg Walk experience a foul odor (like rotten eggs), especially in their basements. This situation could also be adversely affecting the health of residents.

The overwhelming smell of sewage and shit across four days, Aleida had it for three days before that. A month and a half ago, July 2025.

Arlene Gonzalez, 220 Stagg Walk:

- Smell from basement is a horrible smell like a dead rat
- Toilet bowl flush and the water gets stuck and smells really bad
- Lobby smell is the same
- Building maintenance says it's the backed-up tampons
- Sewer line backup July 11, 2025

Resident from 166 Ten Eyck

- Has brown water, but all the time
- Takes about 30-45 minutes for the water to turn
- Kitchen sink and tub has sand

- Cooking with dirty water
- Incinerator is closed, attracting a lot of roaches

Rosemary Espinal: What's up with these windows not really opening? Lucas: Design flaw, windowpanes hit each other.

Jan Peterson: Who does the enviro nonprofits doing work in north BK? We need lawyers.

Laura Hofmann strongly urged Lucas and residents to document these incidents, to give to relevant agencies (Steve Chesler: several agencies have suggested this, as well). Tenants need to make indoor odor complaints to DEP via 311. Need to say, “indoor odor complaint,” “sewage,” “sulfur,” “rotten egg”. Strength in numbers. Tenants should create a list together of all these complaints including dates, time, and description of smell.

Sam Chiera (Communities Resist) noted that a burden of proof is needed. His organization does not have the capacity to take this on. Jan Petersen, a member of all 3 committees and Chair of the Women’s Issues Committee, urged the need for third-party help for all of this. This situation goes beyond the capacity of the community board. EPC member Julie Torres recommended an industrial hygienist to perform an onsite inspection and analysis (There are companies that remediate fire, mold, etc.; they have an industrial specialist; she can get a bid of multiple to compare).

DEP Brooklyn Borough Commissioner Drisana Hughes reported to Steve Chesler that the connecting sewer line connected to the WH property is inspected on a regular basis. No issues. So, the problem is onsite.

From new (spring 2025) Williamsburg Houses TA president Lucas Greer:

- Was challenging for Greer’s win to be recognized at first
- Keys on front doors changed (burglary situation stopped), whole key system replaced
- Two housing coordinators
- St Nicks senior coordinators not operating on-premises due to mold in the designated office
- RAD-PAD housing (NYCHA/private development hybrid)
- Gabby, public lawyer
- RAD issues with rent increases
 - All came as a surprise even to the old board
 - Jan Peterson: Anything people did not realize with the RAD privatization, we need to collect that
- LG: On Thursday 9/4, DEC didn’t even open the tanks. When the caps were finally opened, the tops of them were filled with dirt. Yesterday on 9/10, Wavecrest sent a team to clean it up.
 - Who knows how long the dirt had been building up in the boiler?
 - What are the consequences of not properly maintaining a boiler like that?
 - Is Wavecrest destroying evidence?

- LG: Wavecrest may just be understaffed and not staffed up with the people with appropriate expertise.
 - Steve: but that is still their responsibility.

The next major issue was **frequent rent increases assessed through the RAD/PACT program**. Numerous residents present expressed very strong frustration and stress over this. They felt deceived, that they were sold a “bill of goods” when they signed their rental agreements with Wavecrest. Under the previous NYCHA rental agreements, rent certifications were performed annually. Rent was recalculated based on one's salary from the prior year. Currently, Wavecrest checks residents' salary multiple times a year, creating permanent escalating rates in real time.

Housing Committee member Julie Foster grew up in the Williamsburg Houses, expressed deep anger over this issue, which is close to her heart. At the previous TA meetings she attended, she was told she couldn't ask questions.

Resident from 166 Ten Eyck:

- Double-charged for rent
- Allegedly \$10k in rent arrears
- “I love NYCHA, I do, I moved here in 2000 and never had problems. But let me tell you, it's nothing good now.

Another resident: When you go into the office, they never have time for you and never schedule an appt with you. They promised us and promised us. And now we have to pay 40% of what we make.

220 Stagg resident:

- We were forced to sign PACT, we were told we wouldn't get the lease and would have to move out.
- We were told 30% and that the rent would go up every month, challenging for people on fixed income.
- Rent only went up once a year under NYCHA during recertification.
- But now Wavecrest for some reason keeps losing track of recertifications, using that as pretext to evict people.
- Wavecrest is now doing a credit check every three weeks to adjust people's rent, only goes up and never goes down

Lucas Greer: had to get a loan to pay off his grandma's arrears (Wavecrest never informed his grandma of any rent increase despite taking her rent payment every month)

Lloyd Feng asked the two elected representatives' staffers how they could help here. Emely Rodriguez from Senator Salazar's office suggested a rally press conference be held. The senator has been briefed repeatedly on these conditions. Bruno Daniels from Borough President Reynoso's office said 1) He can connect Legal Aid Society for the NYCHA tenant Support Unit to residents 2) Public Housing Community Health Fund could potentially offer advice and resources. He

offered to organize a meeting with relevant agencies to address all of these issues and their resolution.

Actions items:

1. Steve Chesler will follow up with DOB, DEP and DEC regarding boiler, apartment and sewer inspections.
2. Lloyd Feng suggested a motion be made to recommend the board write a letter to the New York State Office of the Attorney General to investigate potentially deceptive practices with the implementation of RAD/PACT residential rent agreements and the charging of potentially illegal rent increases and misconduct regarding asbestos and lead removal, boiler maintenance & functionality, sewer maintenance and maintenance on the potable water system.

Motion made by Lloyd Feng: to recommend the board write a letter to the NY State Office of the Attorney General to investigate reported potentially deceptive and illegal practices at the NYCHA Williamsburg Houses with the implementation of RAD/PACT residential rent agreements and charging tenants severe and frequent rent increases, and potential misconduct regarding asbestos and lead removal, boiler maintenance & functionality, sewer maintenance and maintenance on the potable water system.

Second by William Vega

Motion carried by unanimous consent

OLD BUSINESS Public Safety & Human Services Committee:

- **District Needs: Capital Budget and Expense Budget Requests related to Public Safety and Emergency Services, Sanitation, and Health.**

(see separate committee report for this item)

NEW BUSINESS Environmental Protection Committee

- **Green Asphalt fumes affecting Greenpoint residents**

(see separate committee report for this item)



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COUNCILMEMBER, 33rd CD

HON. JENNIFER GUTIERREZ
COUNCILMEMBER, 34th CD

May 21, 2025

Ms. Susan L. Camerata
Principal, CFO
Wavecrest Management
87-14 116th Street
Richmond Hill, NY 11418

**RE: Severe Health and Environmental Hazards at the NYCHA Williamsburg Houses
(Brooklyn, NY)**

Dear Principal, CFO Camerata,

On May 13, 2025, Brooklyn Community Board #1 voted unanimously to send this letter, based on a recommendation from its Environmental Protection Committee:

On May 6, 2025, at a meeting of the Brooklyn Community Board #1 Environmental Protection Committee, a group of residents testified about the severe health conditions they have been experiencing while living in apartments at the NYCHA Williamsburg Houses in the Williamsburg section of Brooklyn, NY, and the incredibly hazardous state of their apartments and dangerous practices and severe neglect that has occurred place there.

Carmen Vazquez has lived on the first floor of her building for 23 years, 200 Ten Eyck, Apt 1B. Her apartment, without prior notice, was converted into an ADA accessible unit. She has been diagnosed with and suffering from COPD, fibromyalgia, and sarcoidosis. Due to lung damage, she must be on supplemental oxygen. With the renovations new windows were installed that only opened a crack. Because of this and that the apartment fan has not been repaired by (management company) Wavecrest, after numerous requests, there is no ventilation in this unit. Her symptoms emerged in 2016 starting with severe

fatigue. She lives above the building's boiler. During repairs she experienced a chemical smell. Cracked ceilings and walls and falling cabinets are a constant problem. Lead was supposed to have been removed, as well as Mold. 3 Neighbors in this building have suffered strokes, cancer and asthma. Her symptoms lessen when she spends time outside her apartment. Legacy heating pipes were removed. Now radiators are not functioning properly, and do not have as high a level of heat available as previously.

Asbestos removal was performed in a reckless and hazardous manner causing tenants to incur direct exposure to debris and dust.

Lucas Greer, Tenant Association President, noted that apartments still have "popcorn" ceilings, which are known to contain asbestos, and cracked walls. There is rat infestation. Garbage for the building is stored indoors rather than outdoors. Also, instead of vacuuming dust, contractors were blowing the dust.

Alieda Roman, mother, and Alieda Delgado daughter, 200 Ten Eyck Street. Mother has experienced full body paralysis. Her doctors attributed this to environmental causes. The older daughter has suffered liver and kidney damage. The younger daughter has suffered thyroid cancer and sarcoidosis. Mother has seizures. Symptoms emerged in 2014. 2 young dogs and 1 old dog died from rare brain tumours. Daughter Elena, her face appears to have radiation-like burns. Has experienced asthma. Symptoms for both diminish when time is spent away from the apartment.

Alieda: they were in their apartment when asbestos was being abated from the basement, right below them. She had to go to the emergency room three times with asthma attacks. Dust from the basement spread throughout the building, especially through vents, little holes in the wall and gaps along the floor. The younger daughter joined the meeting. She has experienced seizures, cancer and joint issues. Others experience permanent hearing loss and hallucinations.

Mold is scraped and wiped from their apartment, but it returns.

Mother was bitten by a rat in her apartment.

Elizabeth Lopez, 187 Ten Eyck Street, 2nd and 4th floors. Mold presence is constant. Ceilings are wiped by not fully treated for complete removal. They have cancer of the bones. There is mildew in her entire apartment. With an open door, one can smell the mildew in her apartment. She has three asthmatics at home. The closet is full of mildew and mold. She opened the windows. There is no air coming in. In each of her windows she put on an air conditioner. The same new windows that barely open that basically don't open. She has had three strokes already, three minor strokes. Doctors in the hospital where she was treated do not know where it derived from.

There are gaps in the floors that allow air, dust and vapor to intrude into apartments. When they were breaking walls during renovation, smoke and dust was everywhere. While this work was occurring fixing nearby apartment units were not secured where residents were still living. Five or six people were using blowers, instead of vacuums, and they were pushing the contaminated air and dust into the apartment. They were using landscaping personnel instead of appropriate construction workers. There is excessive heat and vapor coming up from the floors. Repeated complaints have gone unanswered.

Sonia Rivera, Apt 3B, 233 Stagg Walk. She has been in a temporary apartment for a year, while lead contamination is being investigated and remediated in her permanent apartment residence. Wavecrest has been labelling her as a squatter, and though she has been sending in her rent payments, and they are not posting them, claiming she does not want to move back to her old apartment. She had City HPD inspectors come out to her old apartment. It is full of lead. She is concerned about all the issues (health) that her grandkids might have been exposed to without her knowing. The city inspectors provided a notarized document stating that they have removed all lead. The supervisor of those inspectors came out to her apartment, and he performed his own dust testing noting contrasting results. As a result, he urged her not to move back yet because she has led in her apartment. This means the City actually lied about this, the notarization was false.

When the city inspectors tried to get a hold of the managers, no one would answer them. After a few weeks the manager Paul said that they were going to do a dust wipe in her apartment, because there was only lead on the windowsill. Supervisor has proof there is still extensive lead present in the apartment. Then they sent someone else, their own person, to come and check and do those wipes. This was three weeks ago. She has never heard from them again. But she is still being threatened when she tries to follow up.

She is still out of her permanent apartment, and still paying rent, and they're still not posting. She was prevented from voting in the tenant association elections, saying that she was not in good standing by paying them. And they did that to a lot of other people as well.

Last October there was still dust covering the interior of her apartment as reported by her daughter. Physical conditions: passing out, she had part of a lung removed, blood clots and aorta dissection.

Lucas Greer noticed during the asbestos abatement process a large group of workers in hazmat suits would go into the basement of the building, and then emerge without the suits, without necessarily having done abatement work.

Samayia Rillera, Vice-President of the tenant's association, lives at 196 Maujer Street, Apt 1B. Has lived there since she was 12 years old. She has noticed a very bad odor, a chemical type smell. She occasionally has breathing issues.

Glenn Aaron, 220 Stagg Walk resident. Water in the building can be discoloured and contain a bad Odor. Drinking water needs to be tested.

Melissa Rosa, 160 Maujer Street. Is experiencing Hashimoto disease (thyroid), fibromyalgia and other physical issues.

Lourdes Antequera, 200 Maujer Street, 2A (tenant), 222 Ten Eyck Street (permanent unit). Has survived cancer. Cracking falling pieces of wall not properly fixed. They were plastered over.

Tenants at the meeting spoke repeatedly about the ineffectiveness of the local Wavecrest administrator, named Susan. She seems to be in denial regarding the seriousness and the extent of these environmental problems and the highly dysfunctional way they are being addressed, and the incredibly dangerous and harmful way work is being performed, or the fact that certain necessary work is not being performed at all.

Environmental Protection Committee members were stunned and appalled by the accounts presented of the severe health issues tenants are experiencing and the reprehensible conditions that have occurred during renovations, the chronic state of degradation, disrepair and contamination that they have and are encountering. Along with this the management company Wavecrest, NYCHA, the Department of Housing and Preservation and their contractors appear to have engaged in gross negligence, incompetence, endangering behavior, and potentially in fraud, in addressing the enormous array of problems with these apartments and the common areas, in which tenants are physically and mentally suffering. This is a taxpayer supported facility - a fact that is incredibly frustrating to committee members and attendees, which was expressed in this meeting.

Therefore, Brooklyn Community Board #1 demands the following actions be taken by the U.S. Department of Housing and Urban Development with corresponding and relevant New York State and New York City agencies:

- 1) U.S. Department of Housing and Urban Development and applicable city and state government agencies based on the reported accounts of tenants describing the horrible conditions and severe health problems they have been enduring while living in apartments at the Williamsburg Houses, and demand:
 - a) Agencies at every level of government, starting with the U.S. Department of Housing and Urban Development, together with state and city stakeholder agencies perform:
 - i) A complete environmental investigation for biological and chemical contamination in all apartment units and common areas within the Williamsburg Houses complex, for including, but not limited to, the following contaminants: mold, mildew, lead, and asbestos. Initial focus should be on apartments and buildings with tenants incurring health issues

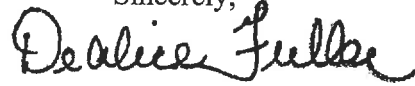
that could have potential causation from the contaminants of concerns noted here.

- ii) Installation of SUMMA canisters to serve as a lead into an environmental and health hazard investigation.
 - iii) A comprehensive health study of residents living in the Williamsburg Houses.
 - iv) Testing of the potable water system in all complex buildings for contamination.
 - v) An analysis of sources of contamination in all apartments and common areas for the contaminants listed above and beyond, including but not limited to: ceilings, walls, floors, piping and conduit, boilers, boiler rooms and corresponding infrastructure.
 - vi) Investigate all boilers for specific contamination related to these systems that may be creating harmful vapor intrusion into apartments and common areas.
 - vii) Powerful implementation, administration and oversight of the full and proper remediation of biological and chemical contamination from all apartments and common areas.
 - viii) Powerful implementation, administration and oversight for the full and proper remediation, and if necessary, the upgrade, of the potable water system in all buildings.
 - ix) Powerful implementation, administration and oversight for the full and proper repair, restoration and upgrade of apartments and common areas to permanently remove contamination and prevent its recurrence.
 - x) A deep, thorough and just investigation into potentially improper, dangerous, harmful, grossly negligent and fraudulent removal of asbestos and lead from apartments and common areas, and related similarly for renovation construction practices, and consider taking necessary actions, including litigious options, against the management company, government agencies and contractors hired to perform related work.
- 2) Local elected officials including representatives at the federal, state, city and borough level, demanding they collectively provide oversight and pressure on HUD and State and City partners to carry out this plan as quickly and efficiently as possible, through its fruition.

HUD's immediate attention to this matter is of the utmost importance. The health, safety and homes of Brooklyn Community District #1 residents is at stake. These conditions must not be allowed to continue and fester.

Working for a Better Williamsburg-Greenpoint.

Sincerely,

A handwritten signature in cursive script that reads "Dealice Fuller".

Dealice Fuller
Chairperson

Cc: Acting Commissioner Amanda Lefton, NYS Department of Environmental Conservation
 Acting Commissioner James V. McDonald, NYS Department of Health
 Acting Commissioner Ahmed Tigani, NYC Department of Housing Preservation & Development
 Commissioner Rohit T. Aggarwala, NYC Department of Environmental Protection
 Acting Commissioner Michelle Morse, MD, MPH, NYC Department of Health
 US Congresswoman Nydia Velazquez
 NYS Senator Julia Salazar
 Assembly Woman Maritza Davila
 Brooklyn Borough President Antonio Reynoso
 Council Member Jennifer Gutierrez
 Regional Administrator Jason Loughran, HUD NY
 Chairperson Jamie Rubin, NYCHA Board



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August 5, 2025

Dealice Fuller
Chairperson
Brooklyn Community Board 1

435 Graham Avenue
Brooklyn, NY 11211

Dear Chairperson Fuller and Brooklyn Community Board #1,

Together, NYCHA and the Williamsburg Houses PACT Partner—Wavecrest Management and MDG Design & Construction, collectively RDC Development, thank you for your patience as we worked to thoughtfully and thoroughly address the detailed concerns raised in your letter dated May 21, 2025. Our responses and context should provide clarity and give a more complete idea of the processes and impact the PACT program has had at Williamsburg Houses. We are confident that our collective work improves the quality of housing and quality of life for residents.

NYCHA's PACT Program is currently one of the only programs that enables NYCHA to comprehensively address environmental hazard concerns – such as lead-based paint, mold, and asbestos – across its portfolio. Through public-private partnerships, PACT brings in the critical funding and expertise needed to perform lasting repairs that go far beyond surface-level fixes. As key partners in this work, MDG Design & Construction, and Wavecrest Management take all environmental concerns very seriously and have demonstrated their commitment to addressing resident complaints as quickly and thoroughly as possible, ensuring that issues are resolved in a timely and responsible manner.

Williamsburg Houses is a prime example of the comprehensive rehabilitation conducted under the PACT Program. In fact, the rehabilitation that was conducted at Williamsburg Houses is one of the most extensive seen under any NYCHA initiative to date. The scope was effectively a full gut rehab; interior walls were removed, studs were taken out and replaced, and major building systems including plumbing, electrical and heating were completely modernized. This level of transformation underscores the potential of the PACT model to deliver true quality-of-life improvements to residents while preserving long-term affordability and public stewardship.

It remains our number one priority to ensure the homes of our residents at Williamsburg Houses are high-quality, safe, and clean. We are incredibly proud of the successful transformation of the site and are eager to work together with Brooklyn Community Board #1, HUD, relevant city and state agencies, local elected officials at the federal, state, city, and borough levels, and most importantly, the Williamsburg Houses Tenant Association and all residents to ensure that the concerns outlined in your letter are fully addressed.

To ensure each concern is properly addressed we have organized our responses in the order they are raised in your letter:

- **Concerns raised by Carmen Vazquez:**

- Following this letter, please find a copy of the notice that was sent to all residents, including Ms. Vazquez, which details the conversion to an ADA unit and outlines the option for residents to return to their original unit or move to a different apartment. Wavecrest Management will reach out to Ms. Vazquez directly with the option to move to a new unit, with all expenses covered by RDC.
- In response to her concerns about the new windows, New York City's Department of Health and Mental Hygiene (DOHMH) code for historic windows states that "new windows must match original or historic windows in configuration, operation, details, materials, and finish." The windows that were installed match this specification. These windows are required to have 'limiters' which restrict a tenant's ability to open them, for safety purposes.
- Regarding air conditioners, every resident was offered to purchase an a/c unit that fits the sleeve at a discounted price of \$435 per unit, which can be paid overtime with as little as \$5 per month.
- As of June 12, Ms. Vazquez's fan has been installed. Additionally, Wavecrest on-site staff spoke with her directly and she does not have any additional complaints.
 - Regarding the new radiators, every apartment is equipped with radiators with knobs that can adjust the amount of heat to the resident's preference. Some residents are not familiar with the use of the temperature controls. Meaning, the radiator unit does not continue to produce heat once it reaches the desired temperature. This is a learning curve that PACT partners experience with residents at all sites with regulated heat. Each apartment at Williamsburg has a heat sensor.
- Regarding cracked ceilings and walls and falling cabinets:
 - Wavecrest has not received any work orders for fallen cabinet(s) during its time managing the property. On-site staff checked with

Ms. Vazquez to confirm that there are no on-going problems with the walls, ceilings, and/or cabinets in the unit.

- Early in the construction process, the construction team experienced cracked walls due to the large amounts of water required for the lead-based paint abatement process, and new layers of paint falling because old layers were failing to adhere to the walls. When notified of these issues in individual apartments (typically after a household returned to the unit), the PACT partner worked quickly to resolve them. Furthermore, the process was adjusted to avoid additional instances of cracked and/or falling walls, which was successful.
- **Concerns raised on page 2 regarding reckless abatement work:**
 - All environmental work was completed in accordance with local and federal regulations, with oversight by City agencies and NYCHA. This is true for all PACT projects across the city.
 - As of project completion in October 2024, all Lead-Based Paint was completely removed in all units and residential interior common areas to HPD's Lead Free Standard. This process of Lead Free lead-based paint abatement required all residents be relocated from their units until lead-based paint abatement was completed and the apartment and interior common area was certified as clear of all lead-based paint and dust hazards after the abatement. All lead-based paint testing, abatement, and certification of dust hazard clearance was performed by third-party firms and workers certified by the U.S. Environmental Protection Agency (EPA). The property's exterior will soon also be abated of lead-based paint. Wavecrest has additionally followed the City process for submitting the lead-based paint testing and abatement paperwork to the City's Department of House Preservation and Development (HPD) for their review under the requirements of NYC's Local Law 1 of 2004 and to date 380 of our units have been granted a "Lead Free" exemption by HPD. Under NYCHA's requirements, Williamsburg must achieve HPD Lead Free status for all the units and the interior residential common areas. The rest of the paperwork applications are still under review with HPD, but all lead-based paint abatement work in the units and interior residential common areas have been completed. Additionally, NYCHA had third-party monitors regularly visit Williamsburg throughout the lead-based paint abatement process to provide oversight of the activity.
 - Wavecrest takes all concerns of mold very seriously and works to address all complaints as quickly as possible. Many of the historic

causes of mold, including leaking pipes, leaking roofs, and more, were addressed during renovations. As shared earlier, the scope to replace all plumbing at Williamsburg is one the most comprehensive repairs conducted to date. All apartment pipes were replaced during the rehabilitation process. Additionally, all PACT partners are held to standards set in the Baez settlement agreement which requires that PACT partners remediate resident mold and excessive moisture complaints within 30 days. Residents in developments that have converted to Project-Based Section 8 through NYHCA's PACT program have access to an independent Ombudsperson Call Center (OCC) to submit complaints about repair issues that have not been completed properly or on time.

- Asbestos was abated in all vacant stairwells and paperwork was filed with the Department of Environmental Protection (DEP) for approval as required prior to abatement starting and abatement was completed in accordance with local and federal laws. All asbestos abatement was performed by firms and workers certified by the New York State Department of Labor. The asbestos abatement process also requires a third-party certified Project Monitor to monitor the air during and after abatement to confirm the air is clear of any asbestos hazard. DEP requires the Project Monitor submit a report detailing this compliance which DEP reviews before they will issue an Abatement Project Closeout Form, and this process was followed for all abatement projects.

- **Concerns raised by Lucas Greer (Current Williamsburg TA President):**

- Prior to the start of construction, all “popcorn” ceilings were tested for asbestos and 3 of the 20 buildings tested positive for asbestos. The 3 identified buildings received complete asbestos abatement of these ceilings. The oversight process described above for the asbestos abatement done in the stairwells was also done for the three buildings which received ceiling asbestos abatement.
- When Wavecrest is alerted of any issues of pests, including rats, they immediately enlist a third-party extermination contractor to resolve the issue. Our extermination contractor regularly conducts exterminations, and all residents are encouraged to reach out if they require special treatment in their apartment or building.
- All trash for each building across the site is stored outside, no garbage is stored inside. Wavecrest has a waste management plan that includes a containerization system—in compliance with the New York City Department of Sanitation's (DSNY) city-wide containerization program for

trash and recycling—with two on-site locations for both trash collection and compacting.

- The construction team worked diligently to ensure that any environmentally hazardous dust was properly contained. As noted above, there are strict requirements for lead-based paint abatement and that includes a third-party certified firm confirming the area is free of any lead dust hazard prior to the area being re-occupied. Blowers were never used as part of this process.

- **Concerns raised by Alieda Roman and Alieda Delgado:**

- Please see above for more information on how we properly handled asbestos and any environmental hazardous dust in accordance with federal and local laws and protocols; and protocols for pests.
- On-site staff has confirmed with Ms. Roman and Ms. Delgado that there are no on-going problems with mold in the unit. Property management closed a work order for mold on April 17, 2025.
- Please note that extermination services are provided monthly as part of management's regular maintenance schedule. During these visits, the vendor knocks on each door and must be granted access by the resident in order to perform the service. Additionally, any household may request a special extermination at any time by contacting the property management office directly. Residents are encouraged to reach out if they are experiencing any pest issues so they can be addressed promptly.
- At the request of the TA President, management inspected the Roman/Delgado apartment on Monday, July 7th, 2025. During this visit, the unit was assessed for the presence of mold and any chemical odors as previously reported. At the time of inspection, there was no indication of mold or any unusual smells. It was also confirmed during this visit that the resident had not submitted any prior requests for extermination services.

- **Concerns raised by Elizabeth Lopez:**

- On-site staff spoke with Ms. Lopez and visited her unit after receiving the letter from the Community Board. The concern with mildew and heat and vapor coming up from the floors have been addressed.
- As previously mentioned, all residents were given the opportunity to purchase a new a/c that fits the sleeve at a discounted price of \$435 per unit which could be paid for with just \$5 per month.
- Please see above for more information on the DOHMH's code for historic windows, as well as how we properly handled asbestos and any environmental hazardous dust in accordance with federal and local laws and protocols. Additionally, all construction workers had the necessary certifications, were badged, and checked for relevant OSHA requirements.

- **Concerns raised by Sonia Rivera:**
 - All apartments which tested positive for lead-based paint had all lead-based paint removed through abatement, including Ms. Rivera's apartment. As described above, this process requires that a third-part EPA-certified firm confirm that the abated unit is free of any lead dust hazard after the abatement is completed. This process of confirming the unit is free of any lead dust hazard after the abatement is completed is called 'clearance'. For 233 Stagg Walk, Apt 3B, it was the bathroom plaster wall that required abatement. The abatement was completed August 2, 2024, and lead dust clearance was confirmed from the lab report on August 6, 2024. In this instance, a positive dust wipe does not indicate the presence of Lead-Based Paint surfaces in the apartment. If lead dust was found, it could have been tracked into the apartment from outside. However, Wavecrest shares any concern related to lead dust and would offer to clean the floors, windowsills, and window wells of the apartment and conduct dust clearance testing on all of these surfaces in each room to ensure Ms. Rivera the unit is free of any lead dust hazard so the household can fully re-occupy the unit.
- **Concerns raised by Samayia Rillera (TA Vice President):**
 - Please see above for more information on how we properly handled asbestos and any environmental hazardous dust in accordance with federal and local laws and protocols.
 - Additionally, on-site staff confirmed with Ms. Rillera that she has no ongoing issues in her apartment.
- **Concerns raised by Glenn Aaron:**
 - In June 2025, the superintendent and plumber addressed Mr. Aaron's issue with water in the building and the property's drinking water is confirmed safe to drink.
 - The building's water distribution system was completely replaced, and all new pipes were installed in accordance with NYC Department of Environmental Protection (DEP) requirements. The plumbing work meets all applicable NYC DEP standards for water quality and system integrity. Furthermore, no other tenants in the building or within the development have reported any complaints of brown water or similar water quality issues.
- **Concerns raised by Lourdes Antequera:**
 - The cracked wall in Ms. Antequera's original unit has been fixed.
 - Ms. Antequera's household is currently occupying two units at the property. The household is required to return to their original unit per their 'Temporary Move Agreement'.

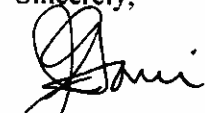
In your letter, the Community Board makes several claims that NYCHA, HPD, and Wavecrest Management have committed fraud, potentially endangering residents at the Williamsburg development. We take these claims very seriously and have found no evidence to support your claims. The PACT program is one of the only programs that enables NYCHA and our partners to make critical investments, abate environmental hazards, and provide residents with safe homes. If you or any members of the Community Board have evidence to support these allegations, we urge you to report it directly to NYCHA or NYCHA's IG so it can be fully investigated.

NYCHA and our PACT partners follow all federal requirements related to the abatement of hazards. Additionally, before any construction work is completed onsite a thorough environmental review process is conducted by HUD. The PACT Williamsburg project underwent an environmental review under the National Environmental Policy Act (NEPA). This process included analysis of hazardous materials, historic preservation, and floodplain management, among other areas. To address potential environmental hazards, a Phase I and Phase II site assessment were completed in coordination with the NYC Department of Environmental Protection (DEP). A Remedial Action Plan (RAP) and Construction Health and Safety Plan (CHASP) were approved by DEP, outlining measures such as soil excavation and off-site disposal. The project was also classified as a Type II action under SEQRA and CEQR, indicating no significant environmental impact.

NYCHA has fully complied with all applicable environmental regulations and will not be conducting any additional studies or reviews.

Together, NYCHA and the Williamsburg Houses PACT Partner—Wavecrest Management and MDG Design & Construction, collectively RDC Development—are happy to address any additional concerns and are focused on continuing to maintain a healthy, safe community at Williamsburg Houses.

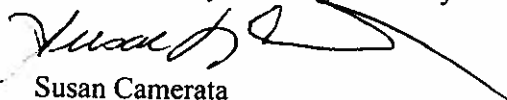
Sincerely,



Jonathan Gouveia
Executive Vice President and Chief Real
Estate Officer
New York City Housing Authority



Matthew Rooney
Chief Executive Officer
MDG Design & Construction



Susan Camerata
Chief Financial Officer
Wavecrest Management

Read about the different improvements

ramps

Approximately 49 ramps have been added to the site to enhance accessibility. Some units will have a ramp leading to the unit that allows access through an alternative doorway.

(Please note: construction for this doorway may occur on a separate date to align with the overall construction schedule.)

lowered countertops

Lowered countertops in kitchen and bathrooms to allow for convenience & equal enjoyment of your home!

widened entryways

Move around your home with ease and without damaging the walls of your home.

cabinet removal

The bathroom vanity & kitchen cabinets will be removed to allow residents to use facilities like the sink effortlessly.

history preserved

Williamsburg Houses will be in compliance with the standards set forth by NYCHA & FHEO (Fair Housing Equal Opportunity) to preserve the historic integrity of the site while creating healthier homes.

Get in touch with Wavecrest Management's relocation team!

Visit us in person, by appointment ONLY.

We are temporarily located at:

**143 Ten Eyck Walk, Apt. 2B
Brooklyn, NY 11206**



English & Spanish Stair Hall Meetings held for affected residents prior to their temporary on-site move!

www.WilliamsburgPACT.com



AGING IN PLACE & ACCESSIBILITY
IMPROVEMENTS AT

Williamsburg Houses



Discover

*the improvements being made for
residents of the Williamsburg
Houses community*

”

"The Wavecrest team is committed to enhancing the quality of life for all residents at Williamsburg Houses."

Reasonable Accommodations

As a resident of Williamsburg Houses, you may submit a reasonable accommodation request by contacting your property manager, Wavecrest Management, at any time during your residency.

Requests may be submitted via email to **ReasonableAccommodation@twmt.net** or via telephone **(718)463-1200 ext. 3732**



Right-Sizing & Transfers

After construction, Wavecrest Management analyzes along with NYCHA, those who need to be right-sized and those who want to be right-sized. We aim to work with residents as to the location & floor, but it is important to note that these requests, except in cases that are considered egregious cannot be fulfilled immediately.



Newly constructed ramp at Williamsburg Houses

If your unit was selected . . .

Some residents may have received an official notice stating your unit was selected as one of the 49 required ADA units. If you do not wish to remain in your current apartment due to these adjustments, please let us know immediately. We will work with you to find a solution.



Important Dates

- Stair Hall XX English Meeting: January XX, 2024 at 5PM
- Stair Hall XX Spanish Meeting: January XX, 2024 at 6PM

210 Graham Avenue, Brooklyn, NY 11206

Additional Questions?

Call us today **(718)475-4200**, please ask to speak to your relocation coordinator or send us an email to **Williamsburg@twmt.net**



U.S. Department of Housing and Urban Development
Buffalo Office
300 Pearl Street, Suite 301
Buffalo, New York 14202
(716) 551-5755

August 26, 2025

Brooklyn Community Board 1
Attn: Dealice Fuller, Chairperson
435 Graham Avenue
Brooklyn, NY 11211

Dear Chairperson Fuller and Brooklyn Community Board #1:

We reviewed your May 21, 2025, inquiry on behalf of the residents at the New York City Housing Authority's (NYCHA) Williamsburg Houses in Brooklyn. On May 6, 2025, at a meeting of the Brooklyn Community Board #1 Environmental Protection Committee, a group of residents testified about the conditions in their apartments.

We reached out to NYCHA to request a detailed report on each of the issues addressed in your letter and received their response on August 5, 2025. It is currently under review by HUD's New York Office of Public Housing.

The Board makes claims that NYCHA, HPD, and Wavecrest Management have committed fraud, potentially endangering residents at the Williamsburg development. We take these claims of fraud very seriously and want to ensure NYCHA's response is sufficient.

Sincerely,

A handwritten signature in blue ink, reading "Lisa M. Pugliese", is positioned below the word "Sincerely,".

Lisa M. Pugliese
Acting Deputy Regional Administrator

25 SEP 3 11:47 A

****From:** WB NRC <new25wb@gmail.com>
****Sent:**** Tuesday, September 2, 2025 9:00 AM
****To:**** BK01 (CB) <bk01@cb.nyc.gov>
****Subject:**** [EXTERNAL] Williamsburg / Wavecrest issues**

****CAUTION! EXTERNAL SENDER.**** Never click on links or open attachments if sender is unknown, and never provide user ID or password. If ****suspicious****, report this email by hitting the ****Phish Alert Button****. If the button is unavailable or you are on a mobile device, forward as an attachment to [phish@oti.nyc.gov] (mailto:phish@oti.nyc.gov).

Hello, CB1 Members

Williamsburg Houses has made significant progress with management known as WAVECREST MANAGEMENT. Management has helped with numerous issues but as Susan said "Nothing is perfect", including wavecrest. Williamsburg is addressing issues on the daily but we ask that CB1 does not let this topic go under the table. Our problems are not solved and will continue to be left of the back burner if we do not keep addressing the issues. We want to encourage everyone to really take a look at the issues.

****__Health Conditions__****

We have a few residents that need emergency transfers because of ongoing health issues that might be related to building boilers.

****__NYCHA Transfers__****

Susan from wavecrest promised all resident in house an opportunity to transfer to a right size unit but still no opportunity has risen for our existing residents.

****__Increased Rent__****

Multiple rent increases through the development per year.

****__Poor Building Maintenance__****

Maintenance personal are not servicing building as they should and union

reps are not on the grounds helping.

__City Inspection from outside agencies to verify work.__

Please verify if boilers have been changed or adequate repairs have been done, test for mold, and random inspection each year. We also have a sewage problem in our basements. Which must be addressed.

These topics alone are a tough challenge as the RA. We must ensure that this problem gets resolved. If we allow this private company to do what they want, we have lost and the problems NYCHA is trying to fix will never come to light.

--

Williamsburg RA

254 Graham Ave

Brooklyn NY 11206

M-F 12-5pm

__new25wb@gmail.com__

Good afternoon Lucas,

This is the Department's response to the Williamsburg Houses Tank Inspections conducted on 9/4:

DEC inspected the boiler room at 200 Ten Eyck Walk and spoke with two tenants, a member of the Tenant Association, and members of the Wavecrest management company (Paul Servis and Cerefino Miller). The tenants reported various odors (chemical/sewer, etc.). Most recent odor incident was 2 weeks prior. DEC staff used a photo-ionization detector (PID) as well as a "multi-gas" meter to screen air inside the 2 apartments but did not detect any readings or smell any unusual odors. The Tenant Association representative indicated that they are working on relocating one of the tenants, the other tenant may refuse relocation.

Wavecrest management noted that building staff were unaware of the tenant complaints until a recent email on the subject was received. During an inspection of the boiler room, DEC learned the following:

- The buildings are mainly on gas and have heating oil as a backup
- The basement under the 200 Ten Eyck Walk building was recently painted with a plant-based paint
- Slight natural gas odor was noted in the boiler room under the 200 Ten Eyck Walk building. Building manager said that a natural gas pipe was damaged around June 2025 when a truck was backing up. National Grid had responded, and repairs had been made. There are 3 boilers - only 1 was running at the time. The boilers have carbon monoxide readers/alarms on top and each boiler vents to pipes that run to the roof. The windows at the boiler level are just used for ventilation of the boiler room

Finally, DEC inspected the Petroleum Bulk Storage (PBS) tank associated with the 200 Ten Eyck Walk building. Several paperwork violations were noted (no as-built diagram present on-site, PBS certificate not signed and dated), as well as multiple technical violations such as:

- Interstitial monitoring equipment inoperable, and no interstitial monitoring records were available on-site
- Overfill prevention equipment inoperable
- Fill port catch basin contains water
- Fill port is not color coded

It should be noted that none of these violations are related to potential odors. DEC will be following up on the violations separately.

Based on DEC's inspection, it appears that the intermittent odors are likely coming from an indoor air source as opposed to vapor intrusion from subsurface contamination. As such, NYSDEC recommends that the NYC Department of Health and Mental Hygiene be contacted as that agency has jurisdiction over indoor air quality.

Please feel free to reach out if you have any questions.



Via Email

NOTICE OF VIOLATION (NOV)

September 18, 2025

Stacy Samuals
NYC HOUSING AUTHORITY
87-14
116th st
Richmond Hill, Ny 11418
ssamuels@twmt.net

**Re: Petroleum Bulk Storage (PBS) Program
Site Inspection - 6 NYCRR Part 613
PBS# 2-601884
WILLIAMSBURG HOUSES
211 STAGG WALK
176 MAUJER STREET (MGMT. OFFICE)
BROOKLYN, NY 11206**

Dear Stacy Samuals:

On September 4, 2025, the New York State Department of Environmental Conservation (NYSDEC or DEC) inspected the WILLIAMSBURG HOUSES facility to determine compliance with New York State's PBS regulations (6 NYCRR Part 613). The following violations were identified during that inspection and need your immediate attention to bring your facility into compliance. Citations to the applicable regulations are noted in brackets and pertain to the tank listed. The PBS regulations and inspection checklist are available online at:

- <https://dec.ny.gov/sites/default/files/2024-01/part613.pdf>
- <https://dec.ny.gov/sites/default/files/2025-03/pbsinspectionform.pdf>

The law requires that you comply fully with the PBS regulations. You must correct all of the violations noted below within the stated time frame(s) and submit required documentation.

Violations

Inaccurate registration information – [613-1.9(a)(4)]. The facility registration information is inaccurate, including product type (it must be 2711); dispensing method (04 or 05 applies), and piping leak detection (01 must be instead of 02). Within 30 calendar days after the date of the NOV, correct the site registration online. Visit <https://nform-prod.dec.ny.gov/> to update your registration; you will need the PBS number and the PIN for your facility, which is 123DCC. For additional information on eRegistration, please visit: <https://www.dec.ny.gov/chemical/125369.html>.

Certificate not signed – [613-1.9(a)(2)]. The registration certificate is posted but is not signed and dated by the facility owner or their authorized representative. The certificate must be signed to acknowledge that the registration information is current and accurate. Within 30 calendar days after the date of the NOV, the facility owner or authorized operator must sign the certificate and submit a photograph showing the signed certificate.

No as-built diagram – [613-2.2(b)/3.2(b)]. The as-built diagram is not being kept, or the diagram is not being retained until all Category 2 and 3 underground storage tank (UST) systems at the facility undergo permanent closure/change-in-service. Facilities must have an as-built diagram in order to record/illustrate the layout/location of underground tank system components, especially in case of emergency. Within 30 calendar days after the date of the NOV, have a qualified person create (and submit a copy of) an as-built diagram which meets all requirements.

Tank # 1

No interstitial monitoring performed for the piping – [613-3.3(b)(2)(i)(a)(3)]. Interstitial monitoring is not being performed for the piping. Within 30 calendar days after the date of the NOV, perform (and submit the records of) interstitial monitoring for four weeks.

Tank # 1

No interstitial monitoring records/Records not retained – [613-3.3(e)(1)]. Interstitial monitoring is not being recorded, or records are not being retained for at least three years. Within 30 calendar days after the date of the NOV, either submit the monitoring records for the last four weeks or perform (and submit the records of) interstitial monitoring for four weeks.

Tank # 1

Interstitial monitoring equipment inoperable – [613-1.12/3.3(a)(1)(i) – (ii)]. The monitoring equipment is inoperable. Within 30 calendar days after the date of the NOV, submit a work plan for the facility to repair or replace the inoperable equipment within 60 days after the date of the NOV.

Tank # 1

No connectivity inspections performed for the interstitial monitoring system – [613-3.2(g)(1)]. Connectivity inspections are not being performed for the interstitial monitoring system. Within 30 calendar days after the date of the NOV, perform (and submit the records of) a connectivity inspection.

Tank # 1

No interstitial monitoring connectivity inspection records/Records not retained – [613-3.2(g)(1)/3.2(g)(3)]. Connectivity inspections are not being recorded, or records are not being retained for at least three years. Within 30 calendar days after the date of the NOV, either submit the records of the last three connectivity inspections or perform (and submit the records of) a connectivity inspection.

Tank # 1

Interstitial monitoring secondary containment - no access – [613-1.4(b)]. The sumps for this tank could not be accessed for inspection. Within 30 calendar days from the date of this letter, submit a photograph of the insides of the sump.

Tank # 1

Fill port catch basin contains water – [613-1.12]. The catch basin catch basin contains water.

Immediately, clean the catch basin and within 30 calendar days after the date of the NOV, submit a photograph showing the same.

Tank # 1

Fill port not color coded – [613-3.2(d)(2)]. The fill port is not color coded. Fill ports must be color coded to identify (to the operator/carrier) the petroleum type being stored in the tank. Within 30 calendar days after the date of the NOV, properly color code the fill port and submit a photograph showing the color-coded fill port.

Tank # 1

Overfill prevention equipment inoperable – [613-1.12/3.1(b)(3)(i)]. The overfill prevention equipment (high level alarm) is inoperable. Within 30 calendar days after the date of the NOV, repair or replace (and submit repair/replacement documentation for) the overfill prevention equipment.

Corrective Action and Penalties

As a result of these violations, you may be subject to penalties. Pursuant to Environmental Conservation Law Section 71-1929, you may be liable for a civil penalty of up to \$37,500 per day for each of the above noted 6 NYCRR Part 613 violations. The violations identified in this letter require your immediate attention. Delays in correcting the violations noted above will affect the amount of penalties for which you will be liable. In addition, under Environmental Conservation Law Section 71-1933, a person may be held criminally liable if any of the foregoing violations was the result of intentional, knowing or criminally negligent conduct.


Note that the inspection may not have disclosed all violations that exist at your site. You are responsible for ensuring that the entire facility is in compliance with applicable requirements. When sending documentation and/or compliance plans, be sure to reference PBS # 2-601884 at 211 STAGG WALK, 176 MAUJER STREET (MGMT. OFFICE), Brooklyn, NY 11206.)

An administrative settlement conference to discuss the violations has been set for Thursday October 23, 2025, at 10:00 a.m. via Webex (the meeting link will be provided to you later). DEC also offers the opportunity to meet in person in the Region 2 office located at 47-40 21st Street, Long Island City, NY 11101. At that time, you will meet with an attorney from the Department to discuss a possible settlement; you may bring your own attorney to the settlement conference. You should bring to the settlement conference proof that the violations cited above have been corrected or are being corrected. If you do not attend the settlement conference, Department legal staff may institute a formal civil or administrative enforcement proceeding, which could result in an increase in the amount of penalties for which you are liable.

By October 16, 2025, please email leszek.zielinski@dec.ny.gov what option, via Webex or in person, you prefer.

If you have questions, please call me at 718-482-6455 or email at leszek.zielinski@dec.ny.gov

Sincerely,


Leszek Zielinski

Professional Engineer 2

ec: D. Ye; Legal - DEC

Lucas Greer, President of Williamsburg Houses RA (new25wb@gmail.com).
PBS file



Via Email

NOTICE OF VIOLATION (NOV)

September 18, 2025

Stacy Samuals
Williamsburg Houses MT
87-14
116th st
Richmond Hill, Ny 11418
ssamuels@twmt.net

**Re: Petroleum Bulk Storage (PBS) Program
Site Inspection - 6 NYCRR Part 613
PBS# 2-601883
WILLIAMSBURG HOUSES
128 MAUJER STREET
176 MAUJER STREET (MGT OFFICE)
BROOKLYN, NY 11206**

Dear Stacy Samuals:

On September 4, 2025, the New York State Department of Environmental Conservation (NYSDEC or DEC) inspected the WILLIAMSBURG HOUSES facility to determine compliance with New York State's PBS regulations (6 NYCRR Part 613). The following violations were identified during that inspection and need your immediate attention to bring your facility into compliance. Citations to the applicable regulations are noted in brackets and pertain to the tank(s) listed. The PBS regulations and inspection checklist are available online at:

- <https://dec.ny.gov/sites/default/files/2024-01/part613.pdf>
- <https://dec.ny.gov/sites/default/files/2025-03/pbsinspectionform.pdf>

The law requires that you comply fully with the PBS regulations. You must correct all of the violations noted below within the stated time frames and submit required documentation.

Violations

Inaccurate registration information – [613-1.9(a)(4)]. The facility registration information is inaccurate, including product type (it must be 2711); dispensing method (04 or 05 applies), and piping leak detection (01 must be instead of 02). In addition, since Tank# 1 was installed in 1974, the tank is, most likely, singled walled. Thus, Tank# 1's secondary containment is 00 and leak detection is 99 (tightness test). Within 30 calendar days after the date of the NOV, correct the site registration online. Visit <https://nform-prod.dec.ny.gov/> to update your registration; you will need the PBS number and the PIN for your facility, which is 1CB771. For additional information on eRegistration, please visit: <https://www.dec.ny.gov/chemical/125369.html>.

Certificate not signed – [613-1.9(a)(2)]. The registration certificate is posted but is not signed and dated by the facility owner or their authorized representative. The certificate must be signed to acknowledge that the registration information is current and accurate. Within 30 calendar days after the date of the NOV, the facility owner or authorized operator must sign the certificate and submit a photograph showing the signed certificate.

Tank## 1,2

Fill port not color coded – [613-3.2(d)(2)]. The fill port is not color coded. Fill ports must be color coded to identify (to the operator/carrier) the petroleum type being stored in the tank. Within 30 calendar days after the date of the NOV, properly color code the fill ports and submit photographs showing the color-coded fill ports.

Tank # 1

No sump access – [613-1.4(b)]. The sump for this tank could not be accessed for inspection. Within 30 calendar days from the date of this letter, submit a photograph of the insides of the sump.

Tank # 1

Tank tightness testing (TTT) not performed – [613-3.3(b)(1)(i)]. Tank tightness testing is not being performed for the tank. Within 30 calendar days after the date of the NOV, perform (and submit the results of) a tank tightness test.

Tank # 2

Not closed after 12 months – [613-4.5(a)(4)]. The tank system has been out of service (OOS) for more than 12 months but has not yet been permanently closed. Within 30 calendar days after the date of the NOV, submit a plan to permanently close the tank system (in accordance with an appropriate code of practice) within 60 days after the date of the NOV.

Tank # 2

Aboveground storage tank (AST) secondary containment contains debris – [613-1.12/4.1(b)(1)(i)(a)(1)]. The tank secondary containment area contains debris. Within 30 calendar days after the date of the NOV, clean the secondary containment area to be free of debris, and submit a photograph showing the cleaned containment area.

Corrective Action and Penalties

As a result of these violations, you may be subject to penalties. Pursuant to Environmental Conservation Law Section 71-1929, you may be liable for a civil penalty of up to \$37,500 per day for each of the above noted 6 NYCRR Part 613 violations. The violations identified in this letter require your immediate attention. Delays in correcting the violations noted above will affect the amount of penalties for which you will be liable. In addition, under Environmental Conservation Law Section 71-1933, a person may be held criminally liable if any of the foregoing violations was the result of intentional, knowing or criminally negligent conduct.

Note that the inspection may not have disclosed all violations that exist at your site. You are responsible for ensuring that the entire facility is in compliance with applicable requirements. When sending documentation and/or compliance plans, be sure to reference PBS # 2-601883 at 128 MAUJER STREET, 176 MAUJER STREET (MGMT. OFFICE), Brooklyn, NY 11206.)

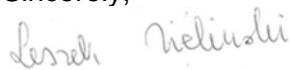
An administrative settlement conference to discuss the violations has been set for Thursday October 23, 2025, at 10:00 a.m. via Webex (the meeting link will be provided to

you later). DEC also offers the opportunity to meet in person in the Region 2 office located at 47-40 21st Street, Long Island City, NY 11101. At that time, you will meet with an attorney from the Department to discuss a possible settlement; you may bring your own attorney to the settlement conference. You should bring to the settlement conference proof that the violations cited above have been corrected or are being corrected. If you do not attend the settlement conference, Department legal staff may institute a formal civil or administrative enforcement proceeding, which could result in an increase in the amount of penalties for which you are liable.

By October 16, 2025, please email leszek.zielinski@dec.ny.gov what option, via Webex or in person, you prefer.

If you have questions, please call me at 718-482-6455 or email at leszek.zielinski@dec.ny.gov

Sincerely,

A handwritten signature in blue ink that reads "Leszek Zielinski".

Leszek Zielinski
Professional Engineer 2

cc: D. Ye; Legal - DEC

Lucas Greer, President of Williamsburg Houses RA (new25wb@gmail.com).

PBS file



Via Email

NOTICE OF VIOLATION (NOV)

September 18, 2025

Stacy Samuals
Williamsburg Houses MT
87-14
116th st
Richmond Hill, Ny 11418
ssamuels@twmt.net

**Re: Petroleum Bulk Storage (PBS) Program
Site Inspection - 6 NYCRR Part 613
PBS# 2-601882
WILLIAMSBURG HOUSES
188 TEN EYCK WALK
176 MAUJER STREET (MANAGEMENT OFFICE)
BROOKLYN, NY 11206**

Dear Stacy Samuals:

On September 4, 2025, the New York State Department of Environmental Conservation (NYSDEC or DEC) inspected the WILLIAMSBURG HOUSES facility to determine compliance with New York State's PBS regulations (6 NYCRR Part 613). The following violations were identified during that inspection and need your immediate attention to bring your facility into compliance. Citations to the applicable regulations are noted in brackets and pertain to the tank listed. The PBS regulations and inspection checklist are available online at:

- <https://dec.ny.gov/sites/default/files/2024-01/part613.pdf>
- <https://dec.ny.gov/sites/default/files/2025-03/pbsinspectionform.pdf>

The law requires that you comply fully with the PBS regulations. You must correct all of the violations noted below within the stated time frame and submit required documentation.

Violations

Inaccurate registration information – [613-1.9(a)(4)]. The facility registration information is inaccurate, including product type (it must be 2711); dispensing method (04 or 05 applies), and piping leak detection (01 must be instead of 02). Within 30 calendar days after the date of the NOV, correct the site registration online. Visit <https://nform-prod.dec.ny.gov/> to update your registration; you will need the PBS number and the PIN for your facility, which is D14F02. For additional information on eRegistration, please visit: <https://www.dec.ny.gov/chemical/125369.html>.

Certificate not signed – [613-1.9(a)(2)]. The registration certificate is posted but is not signed and dated by the facility owner or their authorized representative. The certificate must be signed to acknowledge that the registration information is current and accurate. Within 30 calendar days after the date of the NOV, the facility owner or authorized operator must sign the certificate and submit a photograph showing the signed certificate.

No as-built diagram – [613-2.2(b)/3.2(b)]. The as-built diagram is not being kept, or the diagram is not being retained until all Category 2 and 3 underground storage tank (UST) systems at the facility undergo permanent closure/change-in-service. Facilities must have an as-built diagram in order to record/illustrate the layout/location of underground tank system components, especially in case of emergency. Within 30 calendar days after the date of the NOV, have a qualified person create (and submit a copy of) an as-built diagram which meets all requirements.

Tank # 1

No interstitial monitoring performed for the piping – [613-3.3(b)(2)(i)(a)(3)]. Interstitial monitoring is not being performed for the piping. Within 30 calendar days after the date of the NOV, perform (and submit the records of) interstitial monitoring for four weeks.

Tank # 1

No interstitial monitoring records/Records not retained – [613-3.3(e)(1)]. Interstitial monitoring is not being recorded, or records are not being retained for at least three years. Within 30 calendar days after the date of the NOV, either submit the monitoring records for the last four weeks or perform (and submit the records of) interstitial monitoring for four weeks.

Tank # 1

Interstitial monitoring equipment inoperable – [613-1.12/3.3(a)(1)(i) – (ii)]. The monitoring equipment is inoperable. Within 30 calendar days after the date of the NOV, submit a work plan for the facility to repair or replace the inoperable equipment within 60 days after the date of the NOV.

Tank # 1

No connectivity inspections performed for the interstitial monitoring system – [613-3.2(g)(1)]. Connectivity inspections are not being performed for the interstitial monitoring system. Within 30 calendar days after the date of the NOV, perform (and submit the records of) a connectivity inspection.

Tank # 1

No interstitial monitoring connectivity inspection records/Records not retained – [613-3.2(g)(1)/3.2(g)(3)]. Connectivity inspections are not being recorded, or records are not being retained for at least three years. Within 30 calendar days after the date of the NOV, either submit the records of the last three connectivity inspections or perform (and submit the records of) a connectivity inspection.

Tank # 1

Fill port catch basin contains water – [613-1.12]. The catch basin catch basin contains water. Immediately, clean the catch basin and within 30 calendar days after the date of the NOV, submit a photograph showing the same.

Tank # 1

Containment sump contains water – [613-1.12]. The containment sump contains water. Immediately, clean the containment sump to be free of all liquids and debris, and within 30 calendar days after the date of the NOV, submit a photograph showing the cleaned sump.

Tank # 1

Fill port not color coded – [613-3.2(d)(2)]. The fill port is not color coded. Fill ports must be color coded to identify (to the operator/carrier) the petroleum type being stored in the tank. Within 30 calendar days after the date of the NOV, properly color code the fill port and submit a photograph showing the same.

Tank # 1

Overfill prevention equipment inoperable – [613-1.12/3.1(b)(3)(i)]. The overfill prevention equipment (high level alarm) is inoperable. Within 30 calendar days after the date of the NOV, repair or replace (and submit repair/replacement documentation for) the overfill prevention equipment.

Corrective Action and Penalties

As a result of these violations, you may be subject to penalties. Pursuant to Environmental Conservation Law Section 71-1929, you may be liable for a civil penalty of up to \$37,500 per day for each of the above noted 6 NYCRR Part 613 violations. The violations identified in this letter require your immediate attention. Delays in correcting the violations noted above will affect the amount of penalties for which you will be liable. In addition, under Environmental Conservation Law Section 71-1933, a person may be held criminally liable if any of the foregoing violations was the result of intentional, knowing or criminally negligent conduct.

Note that the inspection may not have disclosed all violations that exist at your site. You are responsible for ensuring that the entire facility is in compliance with applicable requirements. When sending documentation and/or compliance plans, be sure to reference PBS # 2-601882 at 188 TEN EYCK WALK, 176 MAUJER STREET (MANAGEMENT OFFICE), Brooklyn, NY 11206.

An administrative settlement conference to discuss the violations has been set for Thursday October 23, 2025, at 10:00 a.m. via Webex (the meeting link will be provided to you later). DEC also offers the opportunity to meet in person in the Region 2 office located at 47-40 21st Street, Long Island City, NY 11101. At that time, you will meet with an attorney from the Department to discuss a possible settlement; you may bring your own attorney to the settlement conference. You should bring to the settlement conference proof that the violations cited above have been corrected or are being corrected. If you do not attend the settlement conference, Department legal staff may institute a formal civil or administrative enforcement proceeding, which could result in an increase in the amount of penalties for which you are liable.

By October 16, 2025, please email leszek.zielinski@dec.ny.gov what option, via Webex or in person, you prefer.

If you have questions, please call me at 718-482-6455 or email at leszek.zielinski@dec.ny.gov

Sincerely,

Leszek Zielinski

Leszek Zielinski
Professional Engineer 2

ec: DEC Legal

Lucas Greer, President of Williamsburg Houses RA (new25wb@gmail.com).
PBS file



Via Email

NOTICE OF VIOLATION (NOV)

September 18, 2025

Stacy Samuels
Williamsburg Houses MT
87-14
116th st
Richmond Hill, Ny 11418
ssamuels@twmt.net

**Re: Petroleum Bulk Storage (PBS) Program
Site Inspection - 6 NYCRR Part 613
PBS# 2-475157
WILLIAMSBURG HOUSES
125 STAGG WALK
176 MAUJER STREET (MGMT OFFICE)
BROOKLYN, NY 11206**

Dear Stacy Samuels:

On September 4, 2025, the New York State Department of Environmental Conservation (NYSDEC or DEC) inspected the WILLIAMSBURG HOUSES facility to determine compliance with New York State's PBS regulations (6 NYCRR Part 613). The following violations were identified during that inspection and need your immediate attention to bring your facility into compliance. Citations to the applicable regulations are noted in brackets and pertain to the tank listed. The PBS regulations and inspection checklist are available online at:

- <https://dec.ny.gov/sites/default/files/2024-01/part613.pdf>
- <https://dec.ny.gov/sites/default/files/2025-03/pbsinspectionform.pdf>

The law requires that you comply fully with the PBS regulations. You must correct all of the violations noted below within the stated time frame and submit required documentation.

Violations

Inaccurate registration information – [613-1.9(a)(4)]. The facility registration information is inaccurate, including product type (it must be 2711); dispensing method (04 or 05 applies), and piping leak detection (01 must be instead of 02). Within 30 calendar days after the date of the NOV, correct the site registration online. Visit <https://nform-prod.dec.ny.gov/> to update your registration; you will need the PBS number and the PIN for your facility, which is C56AB9. For additional information on eRegistration, please visit: <https://www.dec.ny.gov/chemical/125369.html>.

Certificate not signed – [613-1.9(a)(2)]. The registration certificate is posted but is not signed and dated by the facility owner or their authorized representative. The certificate must be signed to acknowledge that the registration information is current and accurate. Within 30 calendar days after the date of the NOV, the facility owner or authorized operator must sign the certificate and submit a photograph showing the signed certificate.

No as-built diagram – [613-2.2(b)/3.2(b)]. The as-built diagram is not being kept, or the diagram is not being retained until all Category 2 and 3 underground storage tank (UST) systems at the facility undergo permanent closure/change-in-service. Facilities must have an as-built diagram in order to record/illustrate the layout/location of underground tank system components, especially in case of emergency. Within 30 calendar days after the date of the NOV, have a qualified person create (and submit a copy of) an as-built diagram which meets all requirements.

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Tank # 1

Interstitial monitoring secondary containment - no access – [613-1.4(b)]. The sumps for this tank could not be accessed for inspection. Within 30 calendar days from the date of this letter, submit photograph of the insides of the sumps.

Tank # 1

Fill port catch basin contains water – [613-1.12]. The catch basin catch basin contains water.

Immediately, clean the catch basin and within 30 calendar days after the date of the NOV, submit a photograph showing the same.

Tank # 1

Fill port not color coded – [613-3.2(d)(2)]. The fill port is not color coded. Fill ports must be color coded to identify (to the operator/carrier) the petroleum type being stored in the tank. Within 30 calendar days after the date of the NOV, properly color code the fill port and submit a photograph showing the color-coded fill port.

Tank # 1

Overfill prevention equipment inoperable – [613-1.12/3.1(b)(3)(i)]. The overfill prevention equipment (high level alarm) is inoperable. Within 30 calendar days after the date of the NOV, repair or replace (and submit repair/replacement documentation for) the overfill prevention equipment.

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By October 16, 2025, please email leszek.zielinski@dec.ny.gov what option, via Webex or in person, you prefer.

If you have questions, please call me at 718-482-6455 or email at leszek.zielinski@dec.ny.gov

Sincerely,



Leszek Zielinski
Professional Engineer 2

cc: D. Ye; Legal - DEC
Lucas Greer, President of Williamsburg Houses RA (new25wb@gmail.com).
PBS file

Thanks,

DIANE YE

Assistant Engineer

New York State Department of Environmental Conservation

Division of Environmental Remediation | Spill Response Program, Region 2

47-40 21st Street, 1st Floor, Long Island City, NY 11101

w: (718) 482-4038 | c: (917) 648-5622 | diane.ye@dec.ny.gov

dec.ny.gov |



COMMUNITY BOARD No. 1

435 GRAHAM AVENUE - BROOKLYN, NY 11211- 8813

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DISTRICT MANAGER

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COUNCILMEMBER, 33rd CD

HON. JENNIFER GUTIERREZ
COUNCILMEMBER, 34th CD

November 13, 2025

Hon. Letitia James
Attorney General of the State of New York
Office of the Attorney General
28 Liberty Street
New York, NY 10005

Re: Request for Immediate Investigation into Conditions at Williamsburg Houses (Brooklyn CB1)

Dear Attorney General James,

At the regular meeting of Brooklyn Community Board No. 1, held on October 21, 2025, the Board Members voted to send this letter.

Brooklyn Community Board 1 (Williamsburg & Greenpoint) writes to request the Office of the Attorney General's immediate intervention regarding conditions at the Williamsburg Houses that residents report are jeopardizing their health, housing stability, and economic security.

Community testimony and CB1 committee reports highlight systemic problems under Wavecrest Management and NYCHA's management that demand urgent investigation. Specifically, residents have described: confusion over lease documentation and the Section 9-to-Section 8 conversion; unclear or repeated rent increases outside normal recertification timing; difficulties obtaining repairs; and poor communication or responsibility handoffs between Wavecrest and NYCHA. Residents have also raised serious safety and health concerns, including reports of staff entering apartments without authorization at night, as well as chronic respiratory and other health conditions that residents believe are linked to building conditions and past renovation practices.

- On **February 4, 2025**, residents reported the lack of up-to-date leases and rent increases as frequently as every three months, along with difficulties getting answers or

accountability following the Section 9→8 conversion. Please see attached Housing & Public Housing Committee Report for February 2025.

- On **March 11, 2025**, approximately twenty residents detailed portal notices about expired leases despite annual recertification, unexplained increases in tenant portions and rent, unresolved repair requests, and allegations of nighttime entries by staff. Please see attached Housing & Public Housing Committee Report for March 2025.
- On **April 2, 2025**, further testimony underscored confusion over whether NYCHA or Wavecrest was responsible for issues; reports of multiple mid-year rent increases; lack of lease documentation; and safety/health concerns (e.g., COPD, oxygen dependence, reports of cancer and strokes) that residents believe may be linked to building conditions. Please see attached Housing & Public Housing Committee Report for March 2025.
- On **May 6, 2025**, additional testimony attested to residents suffering with the same health conditions noted on April 2 and others, witnessing brown odorous water flowing through apartment sink faucets and questionable abatement of lead, asbestos and mold. CB1 wrote to NYCHA, Wavecrest and HUD requesting an investigation and resolution of all issues. Attached is the Environmental Protection Committee report for May 6, 2025, and the CB's letter sent to the entities noted above on May 16, 2025.

Our full board ratified a formal motion requesting your intervention at its **October 21, 2025**, meeting, the seriousness of these conditions - and our responsibility to residents - compel us to notify you now and to request prompt action.

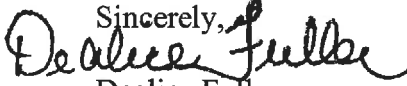
We respectfully request that the Office of the Attorney General:

1. **Open an investigation** into alleged rent-setting practices, lease documentation and communication, repair response protocols, and any related deceptive or abusive practices.
2. **Examine health and safety issues** potentially connected to building conditions, maintenance, or renovation activities, and coordinate as appropriate with NYS DEC, NYC DOHMH, NYC DOB and other relevant agencies.
3. **Preserve records:** direct the preservation/production of relevant records (e.g., rent ledgers, recertification notices, inspection/repair tickets, entry logs, tenant communications, contractor/abatement documentation).
4. **Designate a point of contact** for Williamsburg Houses residents and CB1 to ensure timely follow-up.

Meeting Request: Given the gravity and ongoing nature of these issues, CB1 and the Williamsburg Houses Residents Association (WHRA) respectfully request a meeting with your office at the earliest possible date. We wish to share firsthand accounts, summarize documentary materials, and discuss immediate next steps. We stand ready to meet with you alongside WHRA President Lucas Greer. For your convenience, CB1 can provide the referenced committee reports (Housing & Public Housing Committee: 2/4/25, 3/11/25, 4/2/25) and related correspondence upon request.

Thank you for your leadership and prompt attention to protecting Williamsburg Houses' families. We look forward to working with your office.

Working for Healthier Williamsburg and Greenpoint.

Sincerely,

Dealice Fuller,
Chairperson

Cc: Lucas Greer, President, Williamsburg Houses Residents Association
The Honorable Eric Adams, Mayor of the City of New York
The Honorable Antonio Reynoso, Brooklyn Borough President
The Honorable Charles Schumer, Senate Minority Leader
The Honorable Kirsten Gillibrand, U.S. Senator, New York
The Honorable Nydia Velazquez, U.S. Representative, NY-07
The Honorable Maritza Davila, Assemblymember, Assembly District 53
The Honorable Julia Salazar, Senator, Senate District 18
The Honorable Jennifer Gutierrez, Council Member, Council District 34
The Honorable Chris Banks, Council Member, Chair of the Committee on Public Housing, NYC Council
DOB Commissioner Reda Shehata
DOHMH Acting Commissioner Dr. Michelle Morse
DEC Commissioner Amanda Lefton
OER Director Shaminder Chawla
HPD Acting Commissioner Ahmed Tigani
NYCHA CEO Lisa Bova-Hiatt
HUD Secretary Scott Turner
DEP Commissioner Rohit T. Aggarwala



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HON. JENNIFER GUTIERREZ
COUNCILMEMBER, 34th CD

May 21, 2025

Chairperson Jamie Rubin
NYCHA Board
90 Church Street
New York, NY 10007

**RE: Severe Health and Environmental Hazards at the NYCHA Williamsburg Houses
(Brooklyn, NY)**

Dear Chairperson Rubin,

On May 13, 2025, Brooklyn Community Board #1 voted unanimously to send this letter, based on a recommendation from its Environmental Protection Committee:

On May 6, 2025, at a meeting of the Brooklyn Community Board #1 Environmental Protection Committee, a group of residents testified about the severe health conditions they have been experiencing while living in apartments at the NYCHA Williamsburg Houses in the Williamsburg section of Brooklyn, NY, and the incredibly hazardous state of their apartments and dangerous practices and severe neglect that has occurred place there.

Carmen Vazquez has lived on the first floor of her building for 23 years, 200 Ten Eyck, Apt 1B. Her apartment, without prior notice, was converted into an ADA accessible unit. She has been diagnosed with and suffering from COPD, fibromyalgia, and sarcoidosis. Due to lung damage, she must be on supplemental oxygen. With the renovations new windows were installed that only opened a crack. Because of this and that the apartment fan has not been repaired by (management company) Wavecrest, after numerous requests, there is no ventilation in this unit. Her symptoms emerged in 2016 starting with severe fatigue. She lives above the building's boiler. During repairs she experienced a chemical

smell. Cracked ceilings and walls and falling cabinets are a constant problem. Lead was supposed to have been removed, as well as Mold. 3 Neighbors in this building have suffered strokes, cancer and asthma. Her symptoms lessen when she spends time outside her apartment. Legacy heating pipes were removed. Now radiators are not functioning properly, and do not have as high a level of heat available as previously.

Asbestos removal was performed in a reckless and hazardous manner causing tenants to incur direct exposure to debris and dust.

Lucas Greer, Tenant Association President, noted that apartments still have "popcorn" ceilings, which are known to contain asbestos, and cracked walls. There is rat infestation. Garbage for the building is stored indoors rather than outdoors. Also, instead of vacuuming dust, contractors were blowing the dust.

Alieda Roman, mother, and Alieda Delgado daughter, 200 Ten Eyck Street. Mother has experienced full body paralysis. Her doctors attributed this to environmental causes. The older daughter has suffered liver and kidney damage. The younger daughter has suffered thyroid cancer and sarcoïdosis. Mother has seizures. Symptoms emerged in 2014. 2 young dogs and 1 old dog died from rare brain tumours. Daughter Elena, her face appears to have radiation-like burns. Has experienced asthma. Symptoms for both diminish when time is spent away from the apartment.

Alieda: they were in their apartment when asbestos was being abated from the basement, right below them. She had to go to the emergency room three times with asthma attacks. Dust from the basement spread throughout the building, especially through vents, little holes in the wall and gaps along the floor. The younger daughter joined the meeting. She has experienced seizures, cancer and joint issues. Others experience permanent hearing loss and hallucinations.

Mold is scraped and wiped from their apartment, but it returns.

Mother was bitten by a rat in her apartment.

Elizabeth Lopez, 187 Ten Eyck Street, 2nd and 4th floors. Mold presence is constant. Ceilings are wiped by not fully treated for complete removal. They have cancer of the bones. There is mildew in her entire apartment. With an open door, one can smell the mildew in her apartment. She has three asthmatics at home. The closet is full of mildew and mold. She opened the windows. There is no air coming in. In each of her windows she put on an air conditioner. The same new windows that barely open that basically don't open. She has had three strokes already, three minor strokes. Doctors in the hospital where she was treated do not know where it derived from.

There are gaps in the floors that allow air, dust and vapor to intrude into apartments. When they were breaking walls during renovation, smoke and dust was everywhere. While this

work was occurring fixing nearby apartment units were not secured where residents were still living. Five or six people were using blowers, instead of vacuums, and they were pushing the contaminated air and dust into the apartment. They were using landscaping personnel instead of appropriate construction workers. There is excessive heat and vapor coming up from the floors. Repeated complaints have gone unanswered.

Sonia Rivera, Apt 3B, 233 Stagg Walk. She has been in a temporary apartment for a year, while lead contamination is being investigated and remediated in her permanent apartment residence. Wavecrest has been labelling her as a squatter, and though she has been sending in her rent payments, and they are not posting them, claiming she does not want to move back to her old apartment. She had City HPD inspectors come out to her old apartment. It is full of lead. She is concerned about all the issues (health) that her grandkids might have been exposed to without her knowing. The city inspectors provided a notarized document stating that they have removed all lead. The supervisor of those inspectors came out to her apartment, and he performed his own dust testing noting contrasting results. As a result, he urged her not to move back yet because she has led in her apartment. This means the City actually lied about this, the notarization was false.

When the city inspectors tried to get a hold of the managers, no one would answer them. After a few weeks the manager Paul said that they were going to do a dust wipe in her apartment, because there was only lead on the windowsill. Supervisor has proof there is still extensive lead present in the apartment. Then they sent someone else, their own person, to come and check and do those wipes. This was three weeks ago. She has never heard from them again. But she is still being threatened when she tries to follow up.

She is still out of her permanent apartment, and still paying rent, and they're still not posting. She was prevented from voting in the tenant association elections, saying that she was not in good standing by paying them. And they did that to a lot of other people as well.

Last October there was still dust covering the interior of her apartment as reported by her daughter. Physical conditions: passing out, she had part of a lung removed, blood clots and aorta dissection.

Lucas Greer noticed during the asbestos abatement process a large group of workers in hazmat suits would go into the basement of the building, and then emerge without the suits, without necessarily having done abatement work.

Samayia Rillera, Vice-President of the tenant's association, lives at 196 Maujer Street, Apt 1B. Has lived there since she was 12 years old. She has noticed a very bad odor, a chemical type smell. She occasionally has breathing issues.

Glenn Aaron, 220 Stagg Walk resident. Water in the building can be discoloured and contain a bad Odor. Drinking water needs to be tested.

Melissa Rosa, 160 Maujer Street. Is experiencing Hashimoto disease (thyroid), fibromyalgia and other physical issues.

Lourdes Antequera, 200 Maujer Street, 2A (tenant), 222 Ten Eyck Street (permanent unit). Has survived cancer. Cracking falling pieces of wall not properly fixed. They were plastered over.

Tenants at the meeting spoke repeatedly about the ineffectiveness of the local Wavecrest administrator, named Susan. She seems to be in denial regarding the seriousness and the extent of these environmental problems and the highly dysfunctional way they are being addressed, and the incredibly dangerous and harmful way work is being performed, or the fact that certain necessary work is not being performed at all.

Environmental Protection Committee members were stunned and appalled by the accounts presented of the severe health issues tenants are experiencing and the reprehensible conditions that have occurred during renovations, the chronic state of degradation, disrepair and contamination that they have and are encountering. Along with this the management company Wavecrest, NYCHA, the Department of Housing and Preservation and their contractors appear to have engaged in gross negligence, incompetence, endangering behavior, and potentially in fraud, in addressing the enormous array of problems with these apartments and the common areas, in which tenants are physically and mentally suffering. This is a taxpayer supported facility - a fact that is incredibly frustrating to committee members and attendees, which was expressed in this meeting.

Therefore, Brooklyn Community Board #1 demands the following actions be taken by the U.S. Department of Housing and Urban Development with corresponding and relevant New York State and New York City agencies:

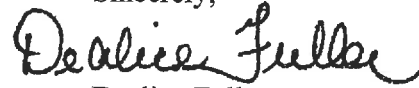
- 1) U.S. Department of Housing and Urban Development and applicable city and state government agencies based on the reported accounts of tenants describing the horrible conditions and severe health problems they have been enduring while living in apartments at the Williamsburg Houses, and demand:
 - a) Agencies at every level of government, starting with the U.S. Department of Housing and Urban Development, together with state and city stakeholder agencies perform:
 - i) A complete environmental investigation for biological and chemical contamination in all apartment units and common areas within the Williamsburg Houses complex, for including, but not limited to, the following contaminants: mold, mildew, lead, and asbestos. Initial focus should be on apartments and buildings with tenants incurring health issues that could have potential causation from the contaminants of concerns noted here.

- ii) Installation of SUMMA canisters to serve as a lead into an environmental and health hazard investigation.
 - iii) A comprehensive health study of residents living in the Williamsburg Houses.
 - iv) Testing of the potable water system in all complex buildings for contamination.
 - v) An analysis of sources of contamination in all apartments and common areas for the contaminants listed above and beyond, including but not limited to: ceilings, walls, floors, piping and conduit, boilers, boiler rooms and corresponding infrastructure.
 - vi) Investigate all boilers for specific contamination related to these systems that may be creating harmful vapor intrusion into apartments and common areas.
 - vii) Powerful implementation, administration and oversight of the full and proper remediation of biological and chemical contamination from all apartments and common areas.
 - viii) Powerful implementation, administration and oversight for the full and proper remediation, and if necessary, the upgrade, of the potable water system in all buildings.
 - ix) Powerful implementation, administration and oversight for the full and proper repair, restoration and upgrade of apartments and common areas to permanently remove contamination and prevent its recurrence.
 - x) A deep, thorough and just investigation into potentially improper, dangerous, harmful, grossly negligent and fraudulent removal of asbestos and lead from apartments and common areas, and related similarly for renovation construction practices, and consider taking necessary actions, including litigious options, against the management company, government agencies and contractors hired to perform related work.
- 2) Local elected officials including representatives at the federal, state, city and borough level, demanding they collectively provide oversight and pressure on HUD and State and City partners to carry out this plan as quickly and efficiently as possible, through its fruition.

HUD's immediate attention to this matter is of the utmost importance. The health, safety and homes of Brooklyn Community District #1 residents is at stake. These conditions must not be allowed to continue and fester.

Working for a Better Williamsburg-Greenpoint.

Sincerely,

A handwritten signature in black ink that reads "Dealice Fuller". The signature is fluid and cursive, with the first name "Dealice" and the last name "Fuller" clearly distinguishable.

Dealice Fuller
Chairperson

Cc: Acting Commissioner Amanda Lefton, NYS Department of Environmental Conservation
 Acting Commissioner James V. McDonald, NYS Department of Health
 Acting Commissioner Ahmed Tigani, NYC Department of Housing Preservation & Development
 Commissioner Rohit T. Aggarwala, NYC Department of Environmental Protection
 Acting Commissioner Michelle Morse, MD, MPH, NYC Department of Health
 US Congresswoman Nydia Velazquez
 NYS Senator Julia Salazar
 Assembly Woman Maritza Davila
 Brooklyn Borough President Antonio Reynoso
 Council Member Jennifer Gutierrez
 Regional Administrator Jason Loughran, HUD NY
 Principal CFO Susan Camerata, Wavecrest Management



Department of
Environmental
Conservation

Where to Find Information

Access project documents through the DECinfo Locator and at these location(s):

<https://extapps.dec.ny.gov/data/DecDocs/C224390/>

Brooklyn Public Library – Greenpoint Branch

107 Norman Avenue
Brooklyn, NY 11211
(718) 389-4394

Borough Community Board 1

435 Graham Avenue
Brooklyn, NY 11211
(718) 389-0009
bk01@cb.nyc.gov

Who to Contact

Comments and questions are welcome and should be directed as follows:

Project-Related Questions

Jennifer Gonzalez, Project Manager
NYSDEC
47-40 21st Street
Long Island City, NY 11101
(718) 482-4508
Jennifer.Gonzalez@dec.ny.gov

Project-Related Health Questions

Stephen Lawrence
NYSDOH
Empire State Plaza
Corning Tower, room 1787
Albany, NY 12237
(518) 402-0450
bee1@health.ny.gov

For more information about New York's Brownfield Cleanup Program, visit:

<https://dec.ny.gov/environmental-protection/site-cleanup/brownfield-and-state-superfund-programs/brownfield>

FACT SHEET

Brownfield Cleanup Program

Clay Properties LLC
19-29 Clay Street & 60-62
Commercial Street
Brooklyn, Kings County

April 2025

SITE No. C224390

NYSDEC REGION 2

Remedy Proposed for Brownfield Site Contamination; Public Comment Period Announced

The public is invited to comment on a proposed remedy being reviewed by the New York State Department of Environmental Conservation (NYSDEC), in consultation with the New York State Department of Health (NYSDOH), to address contamination related to the Clay Properties LLC site ("site") located at 19-29 Clay Street and 60-62 Commercial Street, Brooklyn, Kings County. Please see the map for the site location.

Based on the findings of the investigation, NYSDEC in consultation with the NYSDOH has determined that the site poses a significant threat to public health or the environment. This decision is based on the nature of the existing contaminants identified in the Site in soil, groundwater, and soil vapor. To address this threat, NYSDEC has developed the proposed remedy summarized below.

How to Comment: NYSDEC is accepting written comments about the proposed plan, called a "Draft Remedial Action Work Plan (RAWP)" for 45 days, from **April 17 through May 31, 2025**.

- Access the RAWP and other project documents online through the DECinfo Locator:
<https://extapps.dec.ny.gov/data/DecDocs/C224390/>.
- Documents also are available at the location(s) identified under "Where to Find Information."
- Please submit comments to the NYSDEC project manager listed under Project-Related Questions in the "Who to Contact" area.

Draft Remedial Work Plan: The proposed remedy, which would allow for future restricted residential use, consists of:

- Excavation and off-site disposal of soil that exceeds the Restricted-Residential Use and Protection of Groundwater Soil Cleanup Objectives;
- Excavation and disposal of the dense non-aqueous phase liquid (DNAPL) source area on Lot 53 under a negative pressure enclosure;
- Dewatering during excavation, including groundwater treatment and disposal of DNAPL;
- Collecting and analyzing post excavation soil and groundwater samples to evaluate the effectiveness of the remedy;
- Removal and decommissioning of any encountered underground storage tanks;

BROWNFIELD CLEANUP PROGRAM

- Importing clean material that meets the established Soil Cleanup Objectives for use as backfill;
- Conversion of the temporary Soil Vapor Extraction (SVE) system implemented during the IRM to a permanent SVE system;
- Placement of a cover system, including a demarcation layer over areas without hardscape (buildings, asphalt or concrete) to address contamination remaining above restricted residential use soil cleanup objectives;
- Construction of an active sub-slab depressurization system (SSDS) below the building slab;
- Recording of an Environmental Easement, including Institutional Controls, to prevent future exposure to any residual contamination at the Site;
- Publication of a Site Management Plan (SMP) for long term management of residual contamination as required by the Environmental Easement, including plans for Institutional and Engineering Controls, monitoring, operation and maintenance, and reporting.
- Implementation of green remediation components including considering the environmental impacts of treatment technologies and conserving and efficiently managing resources and materials;
- Development and implementation of a Construction Health and Safety Plan (CHASP) and Community Air Monitoring Plan (CAMP);
- Implementation of soil erosion, pollution, and sediment control measures;

The proposed remedy was developed by Clay Properties LLC (the Volunteer) after performing a detailed investigation of the site under New York's Brownfield Cleanup Program (BCP). A "Remedial Investigation Report", which describes the results of the site investigation is also available for review at the locations identified on Page 1.

Next Steps: NYSDEC will consider public comments, revise the cleanup plan as necessary, and issue a final Decision Document. NYSDOH must concur with the proposed remedy. After approval, the proposed remedy becomes the selected remedy. The applicant(s) may then design and perform the cleanup

action to address the site contamination, with oversight by NYSDEC and NYSDOH.

NYSDEC will keep the public informed throughout the investigation and cleanup of the site.

Site Description: The Site is located in the Greenpoint neighborhood of Brooklyn, New York and contains lots front facing Clay Street and Commercial Street. The lots are identified as Block 2482 Lot 9 (19-27 Clay Street), Lot 10 (60-62 Commercial Street), and Lot 53 (29 Clay Street). The total site area is 0.457 acres.

Lot 9 contains a 2-story warehouse that will be demolished for redevelopment. The bottom floor of the warehouse is currently vacant, and the second floor is used as a private office. Lot 10 is currently used as a parking lot and storage area, and Lot 53 is a vacant lot. Throughout its history, the Site was utilized for various industrial and manufacturing operations including iron works, tin can storage facility, cotton batting company, paper storage warehouse, and non-specific manufacturing uses.

The planned redevelopment is a 7-story mixed use building with ground floor commercial use and a residential lobby, and residential and private terraces above. The anticipated cleanup level is for restricted-residential use.

Additional site details, including environmental and health assessment summaries, are available on NYSDEC's Environmental Site Remediation Database (by entering the site ID, C224390) at:

<https://extapps.dec.ny.gov/cfm/extapps/derexternal/index.cfm?pageid=3>

Summary of the Investigation: The primary contaminants of concern at the site are petroleum-related and chlorinated-related volatile organic compounds (VOCs), polycyclic aromatic hydrocarbons (PAHs), and metals were found above restricted-residential use soil cleanup objectives. The PAHs and metals were mainly observed in the shallow soil and are likely a result of historical fill material. Chlorinated volatile organic compounds (CVOCs) in soil were found in shallow fill and deeper soils beneath and may be related to historical site usage as a cosmetic and writing instruments manufacturing company and later as a medical devices and filtration manufacturer.

BROWNFIELD CLEANUP PROGRAM

Petroleum-related VOCs in deeper soils may be related to historical industrial use and the abutting site to the north historically was used as an auto repair shop.

Constituents of concern in groundwater above applicable standards include petroleum-related VOCs, CVOCs, PAHs and other semi-volatile organic compounds (SVOCs), metals and perfluoroalkyl substances (PFAS). CVOCs indicative of dense non-aqueous phase liquids (DNAPL) were encountered below the water table on Lot 53. Elevated concentrations of petroleum-related VOCs and CVOCs were also found in soil vapor.

Brownfield Cleanup Program: New York's Brownfield Cleanup Program (BCP) encourages the voluntary cleanup of contaminated properties known as "brownfields" so that they can be reused and redeveloped. These uses may include recreation, housing, business or other uses. A brownfield site is any real property where a contaminant is present at levels exceeding the soil cleanup objectives or other health-based or environmental standards, criteria or guidance adopted by DEC that are applicable based on the reasonably anticipated use of the property, in accordance with applicable regulations.

For more information about the BCP, visit:

<https://dec.ny.gov/environmental-protection/site-cleanup/brownfield-and-state-superfund-programs/brownfield>

We encourage you to share this fact sheet with neighbors and tenants, and/or post this fact sheet in a prominent area of your building for others to see.

Stay Informed With DEC Delivers

Sign up to receive site updates by email:

<https://dec.ny.gov/environmental-protection/site-cleanup/regional-remediation-project-information/environmental-cleanup-email-newsletters>

Note: Please disregard if you already have signed up and received this fact sheet electronically.

DECinfo Locator

Interactive map to access DEC documents and public data about the environmental quality of specific sites: <https://dec.ny.gov/maps/interactive-maps/decinfo-locator>

Site Location





Translation Available. Don't see your language? Ask!

English	To have this document translated into a language you can understand, contact the person below. There is no charge for the translation.
Español Spanish	Si necesita la traducción de este documento a un idioma que pueda entender, comuníquese con la persona indicada abajo. La traducción es gratis.
简体字 Simplified Chinese	如需將此文件翻譯成您能理解的語言版本，請聯絡下方人員。本次翻譯不收取費用。
Русский Russian	Чтобы получить перевод этого документа на понятный вам язык, свяжитесь с представителем, данные которого указаны ниже. Плата за эту услугу не взимается.
אידיש Yiddish	צו האבן די דאקומענט איבערגעטייטשט אין א שפראך וואס איר קענט פארשטיין, פארבינדט זיך מיט די פערזאן אונטן. די איבערטייטשונג איז פריי פון אפצאל.
বাঙালি Bengali	এই নথিটি আপনি বুঝতে পারেন এমন একটি ভাষায় অনুবাদ করতে, নিম্নলিখিত ব্যক্তির সাথে যোগাযোগ করুন। অনুবাদের জন্য কোন চার্জ দিতে হবে না।
한국어 Korean	이 언어를 본인이 이해할 수 있는 언어로 받아보려면 아래 담당자에게 문의하십시오. 번역료는 없습니다.
Kreyòl Ayisyen Haitian Creole	Pou yo ka tradwi dokiman sa nan yon lang ou ka konprann, kontakte moun ki anba a. Ou p'ap peye anyen pou tradiksyon an.
Italiano Italian	Per ottenere la traduzione di questo documento in un'altra lingua, contatti la persona indicata qui di seguito. La traduzione è gratuita.
العربية Arabic	لترجمة هذا المستند إلى لغة يمكنك فهمها، تواصل مع الشخص أدناه. لا يتم تطبيق رسوم مقابل الترجمة.
Języki Polski Polish	Aby uzyskać tłumaczenie tego dokumentu na język, który jest dla Ciebie zrozumiały, skontaktuj się z poniższą osobą. Za tłumaczenie nie jest pobierana żadna opłata.

Contact: Jennifer Gonzalez, 718-482-4508, jennifer.gonzalez@dec.ny.gov



1. BTOC – Below top of casing
2. Depth to bottom – Distance of the top of casing to the bottom of the well during gauging in feet.
3. TOC – Top of casing
4. Elevations – feet above mean sea level based (amsl) on North American Vertical Datum of 1988 (NAVD 88)

2.5 CONTAMINATION CONDITIONS

The information collected during the investigation was compared to the respective regulatory standards and were evaluated to determine the nature and extent of the contamination at the Site. The entire Site is considered the Area of Concern (AOC) based on contaminants in all three media: soil, groundwater, and soil vapor.

During the various phases of investigation onsite, soil boring and well construction logs were completed to describe the Site geology. The Conceptual Model of the Site is based on the findings of the previous investigations.

2.5.1 Conceptual Model of Site Contamination

The onsite soils consist of fill material followed immediately by sand with silty lenses as shown on the cross-sections, **Figures 5A-5D**. Clay is evident at a depth of 15 feet below surface grade (bgs). The clay does appear to dip towards the north from Clay Street. A distinct clay layer exists along Clay Street but does not extend north throughout the Site. Groundwater is approximately 8-10 feet bgs and flows towards the southwest across the site.

Soil samples collected above the groundwater table did have constituents above the NYSDEC PGSCOs throughout the site in the shallow interval of 0-3 feet below surface grade. Contaminants of concern in the shallow soil samples over NYSDEC PGSCOs include the VOCs trichloroethylene (TCE), 1,2 dichloroethylene (DCE), and tetrachloroethylene (PCE); the SVOCs benzo(a)anthracene, chrysene, benzo(b)fluoranthene, and benzo(k)fluoranthene; the metals arsenic, lead, mercury, copper and nickel; and PFOS. Soil samples collected to delineate the vertical extent of the CVOCs showed TCE at depth of up to 40 feet exceeding the NYSDEC PGSCOs. DNAPL was identified in in SB-35 and in borings to the west and east of SB-35 as shown on the isopleth maps, **Figures 13A-13C**.

Groundwater samples were collected from multiple depths across the site to delineate the CVOCs. The groundwater samples indicated that TCE and its breakdown products are impacting the entire site.

Soil vapor samples indicated that the CVOCs found in the soil and the groundwater are impacting the soil vapor beneath the site. The highest results were from SV-21 in the area of SB-35, with TCE detected at 3,900,000 mg/m³ and PCE at 55,000 mg/m³.

2.5.2 Description of Areas of Concern

The Areas of Concern are listed below:

1. Trench – A former trench runs across the eastern lot, 29 Clay Street. The trench runs through the site and appears to cross over the source area of contamination.
2. Dense Non-Aqueous Phase Liquid - DNAPL was observed in two wells in the central portion of Lot 53. DNAPL was first observed in SB-35 at a depth of 16-18 feet bgs. In consultation with the NYSDEC, several



step out borings were advanced to assess the nature and extent of the plume. DNAPL was subsequently observed in SB-35_E (15 -17 feet bgs), SB-35_S (15-18 feet bgs) and SB-35_10W (18-22 feet bgs). The DNAPL has been identified in an interval located approximately 7-9 feet above a clay layer in the central and southern portions of Lot 53.

3. Groundwater – VOC-impacted groundwater was observed across the site. The on-site groundwater data indicates that there is TCE at concentrations as high as 208,000 ug/L or parts per billion (PPB).
4. Historic Fill – Shallow soils across the site exhibit concentrations of VOCs, SVOCs and metals over the NYSDEC PGSCOs.
5. Underground Storage Tanks (USTs) – During a Phase I ESA site inspection in 2022, it was documented that two vent pipes were observed protruding through the roof of the 29 Clay Street building. According to the historic report, the pipes were consistent with the presence of a UST.
6. Soil Vapor – VOC-impacted soil vapor exists on the Site. The highest TCE detection was 3,900,000 ug/m3.

AOCs are described further in sections below.

2.5.3 Identification of Standards, Criteria, and Guidance

See **Table 15** of this document for Applicable SCOs. In addition, the following SGCs also apply:

1. 6 NYCRR Part 375-6 Soil Cleanup Objectives
2. NYSDEC Ambient Water Quality Standards and Guidance Values and Groundwater Effluent Limitations – TOGS 1.1.1
3. NYSDEC DER-10 Technical Guidance for Site Remediation, May 2010
4. NYSDEC DER-31 Green Remediation, August 2010
5. New York State Department of Health Guidance for Evaluating Soil Vapor Intrusion in the State of New York, October 2006
6. New York State Department of Health (NYSDOH) Generic Community Air Monitoring Plan
7. NYS Waste Transporter permits – 6 NYCRR Part 364.
8. NYS Solid Waste Management Requirements – 6NYCRR Part 360 and Part 364.
9. NYSDEC Draft Brownfield Cleanup Program Guide – May 2004.

2.5.4 Soil / Fill Contamination

Soil samples were collected at and above the groundwater interface. The shallow soils across the site are indicative of historic fill.

2.5.4.1 Summary of Soil Data

Soils observed in boring logs advanced on Site indicate that subsurface soil at the Site consisted of a surface layer of concrete ranging from 4 to 10 inches bgs and a fill layer, consisting of dark brown/black/gray/tan fine to coarse



SUMMARY OF REMEDY

The Selected Track 4 Restricted Residential remedy will include the following elements:

1. Green remediation components are as follows:

- Considering the environmental impacts of treatment technologies and remedy stewardship over the long term;
- Reducing direct and indirect greenhouse gas and other emissions;
- Increasing energy efficiency and minimizing use of non-renewable energy;
- Conserving and efficiently managing resources and materials;
- Reducing waste, increasing recycling, and increasing reuse of materials that would otherwise be considered a waste;
- Fostering green and healthy communities and working landscapes that balance ecological, economic, and social goals; and
- Integrating the remedy with the end-use where possible and encouraging green and sustainable re-development.
- Additionally, to incorporate green remediation principles and techniques to the extent feasible in the future development at this site, any future on-site buildings shall be constructed, at a minimum, to meet the 2020 Energy Conservation Construction Code of New York (or most recent edition) to improve energy efficiency as an element of construction.

As part of the remedial program, to evaluate the remedial alternatives with respect to green and sustainable remediation principles, a *SiteWise*TM environmental footprint analysis has been completed. Water consumption, greenhouse gas emissions, renewable and non-renewable energy use, waste reduction and material use for the proposed remedy have been estimated, and goals for the project related to these green and sustainable remediation metrics, as well as for minimizing community impacts, protecting habitats and natural and cultural resources, and promoting environmental justice, will be incorporated into the remedial program, as appropriate. The project will include detailed requirements to achieve the green and sustainable remediation goals. Further, progress with respect to green and sustainable remediation metrics that have been established by the *SiteWise*TM model will be tracked during implementation of the remedial action and reported in the FER, including a comparison to the goals established during the remedial program.

Additionally, the remedial program will include a climate change vulnerability assessment, to evaluate the impact of climate change on the project site and the proposed remedy. Potential vulnerabilities associated with extreme weather events (e.g., hurricanes, lightning, heat stress and drought), flooding, and sea level rise will be identified, and the remedial program will incorporate measures to minimize the impact of climate change on potential identified vulnerabilities.

2. Development and implementation of a Construction Health and Safety Plan (CHASP) and Community Air Monitoring Plan (CAMP) for the protection of on-site workers, community/residents, and the environmental during remediation and construction activities.
3. Implementation of soil erosion, pollution, and sediment control measures in compliance with applicable laws and regulations.
4. Excavation, stockpiling, off-site transport, and disposal of the following:



- a. 0-4 feet bgs minimum across the entire Site (approximately 3,000 cubic yards) to remove soil that exceeds Track 4 SCO (RRUSCOs and PGSCO).
 - b. Excavation of the approximately 1,600 square-foot DNAPL source area from approximately 4 to 27 ft bgs. (approximately 1,370 cubic yards).
 - c. Source area excavation will occur under a temporary negative pressure enclosure to limit the release of odors and vapors to the surrounding community.
 - d. Removal of additional soil that exceeds Track 4 SCO (RRUSCOs and PGSCO) as needed to shallow groundwater via hot spot excavation to groundwater (approximately 5 cubic yards additional excavation at 19 Clay Street). The Track 4 SCO are included in **Appendix P**.
 - e. Excavation for the elevator pit from approximately 4-8 ft bgs (15 cubic yards).
5. Dewatering, including groundwater treatment and disposal of DNAPL, during excavation of the DNAPL source area.
 6. Installation of metal sheeting around the approximately 1,600 square-foot DNAPL source area for support of excavation, groundwater cutoff and delineation of the excavation area.
 7. Screening for indications of contamination (by visual means, odor, and monitoring with PID) of all excavated soil during any intrusive Site work.
 8. Collection and analysis of documentation and confirmation soil samples to document soil quality remaining after the remedial excavation is complete. Confirmation samples will be collected to confirm contaminants of concern exceeding the Protection of Groundwater SCO have been excavated. If concentrations of contaminants of concern exceed the Protection of Groundwater SCO, additional excavation or remediation may be required.
 9. Continue the groundwater monitoring program for up to one year after the Interim Remedial Measures (IRM) to evaluate the remedy and the need for supplemental injections at the Site. The determination for additional injections will be made in conjunction with the NYSDEC and prior to building occupancy.
 10. Removal and decommissioning of any encountered USTs and/or associated appurtenances (e.g., fill lines, vent line, and electrical conduit) and disposal off-site, in accordance with DER-10, 6 New York Codes, Rules, and Regulations (NYCRR) Part 613.9, NYSDEC Commissioner Policy 51 (CP-51), and other applicable NYSDEC UST closure requirements.
 11. Appropriate off-Site disposal of all material removed from the Site in accordance with all Federal, State, and local rules and regulations for handling, transport, and disposal.
 12. Import of materials to be used for backfill and cover in compliance with: (1) chemical limits and other specifications included in **Table 16**, (2) all Federal, State, and local rules and regulations for handling and transport of material.
 13. Installation of an engineered composite cover system, consisting of the following to prevent human exposure to residual contaminated soil/fill remaining under the Site:
 - a. A permanent composite cover system consisting of a 33-inch concrete building slab
 - b. It is anticipated the Site will be covered completely by concrete with no pervious surfaces.



14. Conversion of the temporary Soil Vapor Extraction (SVE) system installed as part of the IRM to a permanent structure housed within the building. Details of the IRM are included in Section 2.7.
15. Construction of an active SSDS with a chemical vapor barrier below the building slab to maintain vacuum under the building slab, including a 12-inch ventilation layer.
16. Completion of a survey to document the extents of the permanent and temporary components of the Site cover system.
17. Recording of an Environmental Easement, including Institutional Controls, to prevent future exposure to any residual contamination remaining at the Site.
18. Publication of a Site Management Plan for long term management of residual contamination as required by the Environmental Easement, including plans for: (1) Institutional and Engineering Controls, (2) monitoring, (3) operation and maintenance and (4) reporting.
19. All responsibilities associated with the Remedial Action, including permitting requirements and pretreatment requirements, will be addressed in accordance with all applicable Federal, State, and local rules and regulations.



COMMUNITY BOARD No. 1

435 GRAHAM AVENUE - BROOKLYN, NY 11211- 8813

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COUNCILMEMBER, 33rd CD

HON. JENNIFER GUTIERREZ
COUNCILMEMBER, 34th CD

February 18, 2025

Ms. Andrea Bender
Vice-President, External Affairs
NYC School Construction Authority
2501 Jackson Ave
Long Island City, NY 11101

RE: Proposal to locate a new elementary school at 257 Franklin Street

Dear Vice-President Bender,

On February 12, 2025, Brooklyn Community Board #1, informed by a joint recommendation from its Environmental Protection and Education & Youth Committees, voted unanimously to approve the following resolution, regarding expressing support for the NYC School Construction Authority constructing a new elementary school at 257 Franklin Street in Greenpoint, Brooklyn:

WHEREAS, a new elementary school in Greenpoint is greatly needed, especially in the north end amidst massive housing development in progress there. Neighborhood schools are beyond seating capacity.

WHEREAS, the 257 Franklin site was planned to house a school for the above purpose through two land use actions.

WHEREAS, there was a grave threat from the Nuhart superfund site contamination located across the street at 65 Dupont Street, specifically a phthalates chemical plume that migrated to the edge of the 257 Franklin Street property.

WHEREAS, the Nuhart developers installed a protective 25' tall hydraulic barrier along the perimeter of 257 Franklin Street.

WHEREAS, historic and recent well testing both in the adjacent sidewalks and onsite at 257 Franklin indicate NO contamination from the Nuhart site.

WHEREAS, NYS DEC region chief confirmed that the plume has NOT changed or moved in 12 years, and made a strong case for it to remain that way.

WHEREAS, the Nuhart superfund onsite contamination remediation has been completed. Most of the contamination was removed. The remaining contamination was sealed with ISS (concrete mixture). And a deep metal sheet wall was installed along the perimeter.

WHEREAS, therefore, there is no existing threat from the Nuhart site contamination.

WHEREAS, at 257 Franklin Street the native onsite contamination exists at low levels in comparison to most cleanup sites. Slightly PCE & PFAS (VOCs) contaminated groundwater is 12' below grade. Historic fill contains low levels of metals contamination.

WHEREAS, the school will be built slab on grade, without a basement.

WHEREAS, 2' of contaminated soil will be removed and replaced with clean fill, and an underground storage container will be removed and disposed of.

WHEREAS, a waterproof vapor barrier, a sub-slab depressurization system and hard and surface capping will be implemented, as well as a Community Air Monitoring Plan.

WHEREAS, the Brooklyn Community Board #1 joint-committee expresses strong concern regarding flood, storm surge and cloudburst event mitigation, as New York City flood maps indicate the site exists within a flood zone, which counters FEMA's flood maps which indicate less of a flood extent. Therefore, the board requests SCA use New York City flood maps as a basis for designing the new school to withstand flooding, and the design includes raising the elevation of the building accordingly.

WHEREAS, the board acknowledges the SCA's school development experience in flood-prone areas such as Broad Channel, Queens.

WHEREAS, the board urges consideration of alternative energy sources and climate threat mitigation methods such as permeable pavement, green and blue roofs, passive house technology, solar and geothermal heating methodology, and planning for sustainability for the next 100 years, and including recommendations for resilient and sustainable school design from a design toolbox derived from the Greenpoint Community Environmental Fund. The board appreciates SCA's embracing these measures, and that the building will be all-electric powered.

WHEREAS, the school will be fully ADA accessible.

THEREFORE is RESOLVED that:

Brooklyn Community Board #1 expresses support for the NYC School Construction Authority constructing a new elementary school at 257 Franklin Street in Greenpoint.

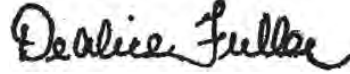
Additionally, the board requests SCA and NYSDEC address two follow up questions regarding their presented proposal:

1. NYSDEC and SCA claim that the proposed plan that's in place to stop the plume from reaching the school or affecting the children is more than what is required.
 - a. Specifically, which protective elements of the plan are more than what's required?
 - b. Specifically, what other sites can they reference that have dealt with phthalate

plumes in this manner in an urban setting? Please provide specific locations.
2. SCA: Will construction of the new school facility involve the installation of piles? If so, how will this affect the site contamination and remedial action's success?

Working for a Better Williamsburg-Greenpoint.

Sincerely,

A handwritten signature in black ink that reads "Dealice Fuller". The signature is written in a cursive, flowing style.

Dealice Fuller
Chairperson

cc: Brooklyn Borough President Antonio Reynoso
Hon. Nydia Velazquez, Congresswoman
Hon. Emily Gallagher, NYS Assembly Member District 50
Hon. Kristen Gonzalez, State Senator
Hon. Lincoln Restler, Council Member District 33
Ms. Jane O'Connell, Regional Remediation Engineer, New York State Department of Environmental Conservation
Ms. Jennifer Gonzalez, Assistant Geologist, New York State Department of Environmental Conservation
Mr. Andre Obligado, Professional Geologist, New York State Department of Environmental Conservation
Mr. Rodney Rivera, Special Assistant Region 2, New York State Department of Environmental Conservation

April 1, 2025

Brooklyn Community Board 1
Dealice Fuller, Chair
435 Graham Avenue
Brooklyn, NY 11211



Andrea Bender
Vice President, External Affairs
New York City School
Construction Authority

Dear Chair Fuller and members of Community Board One:

The School Construction Authority (SCA) has received Community Board One's resolution in unanimous support of SCA's proposal to locate a new elementary school at 257 Franklin Street in Greenpoint, adopted at the Board's February 12, 2025, meeting. This resolution was informed by a joint recommendation from the Community Board's Environmental Protection and Education & Youth Committees.

SCA is greatly appreciative of and sincerely thankful for the Board's support, and for the extensive engagement we have had with the Board and its members in numerous public meetings and conversations, particularly in recent months. SCA is incredibly excited to bring this long-anticipated school to fruition for the children and families of Greenpoint.

Along with the resolution in support, the Board raised two questions, to which our responses are below.

- 1. NYSDEC and SCA claim that the proposed plan that's in place to stop the plume from reaching the school or affecting the children is more than what's required.**
 - a. Specifically, which protective elements of the plan are more than what's required?**

The phthalate non-aqueous phase liquid (NAPL) plume has not reached the 257 Franklin Street property based on groundwater monitoring conducted by the NYS Department of Environmental Conservation (NYSDEC) since at least 2012 and confirmed by SCA's own subsurface investigations in 2008 and 2023. In fact, the NAPL plume does not appear to be moving in the direction of the proposed school site based on measured groundwater flow direction and the viscosity of the NAPL in the cold subsurface. Further, the NAPL under the streets and sidewalks is currently being recovered by the NuHart responsible party and this work will continue until the NYSDEC Remedial Action Objectives are satisfied.



Andrea Bender

Vice President, External Affairs

New York City School
Construction Authority

As such, the hydraulic barrier installed in the sidewalk adjacent to 257 Franklin Street in 2023 appears to be an added safeguard in preventing NAPL migration, which will likely never prove necessary. However, SCA agrees that installing this barrier was critical in addressing the community's reservations in moving forward with the school project.

In addition, development of the school site under protocols of the Mayor's Office of Environmental Remediation (OER) Voluntary Cleanup Program (VCP), which includes regulatory review and approval by NYS DEC, is not required based on the subsurface conditions at 257 Franklin Street. Nevertheless, SCA will take this additional step to allow additional public participation in the school development project.

On top of these measures, SCA will also take additional measures within our site. SCA will construct our new building without a basement to avoid the need for excavation dewatering, thereby avoiding the possibility of drawing any contaminants into our property from off-site. Further, buried utilities serving the new school will enter the property at the southern end of the site along Franklin Street or the western end of the site along Dupont Street to avoid encountering the top of the hydraulic barrier. Finally, our school will include vapor mitigation engineering controls in the form of a gas vapor barrier and sub slab depressurization system (SSDS) preventing potential vapor intrusion due to volatile organic compounds emanating from remedial properties in the vicinity of the school.

Protective Element	Description
Hydraulic Barrier	The hydraulic barrier installed in the sidewalk is intended to intercept any NAPL contaminants not captured by the pneumatic pumping system operating at the NuHart site.
Limited Subsurface Construction	SCA will construct the new building without a basement or cellar to avoid the need for excavation dewatering.
Relocation of buried utilities	Buried utilities serving the new school will enter the property at the southern end of the site along Franklin Street or the western end of the site along Dupont Street to avoid encountering the top of the hydraulic barrier
Installation engineering controls	Our project will include installation of a gas vapor barrier and sub slab depressurization system (SSDS) to prevent potential vapor intrusion.
Voluntary Cleanup Program	Full time environmental oversight will be required during subsurface activities, including the implementation of a Community Air Monitoring Program (CAMP).

- b. Specifically, what other sites can they reference that have dealt with phthalate plumes in this manner in an urban setting? Please provide specific locations.



SCA, NYSDEC, and OER are not aware of any other phthalate NAPL plume projects in New York City or New York State. Phthalates are a very uncommon subsurface contaminant, particularly in the NAPL form. However, the use of hydraulic barriers to prevent the migration of petroleum-based NAPL migration is quite common and this technology has proven effective for decades.

Andrea Bender

Vice President, External Affairs

New York City School
Construction Authority

2. **SCA: Will construction of the new school facility involve the installation of piles? If so, how will this affect the site contamination and remedial action's success?**

SCA will need to complete a geotechnical investigation to determine if a deep pile foundation is required. Such an investigation would occur during the early design phase. However, given what is known about the area, it seems reasonable that deep piles may be necessary to support the building. If so, they would likely be drilled piles rather than driven piles, which creates less noise and vibration in the vicinity of the drill rig. Regardless of the installation technique, there is nothing about the installation of piles on the 257 Franklin Street property that would affect the NuHart NAPL plume.

As far as contaminants on the SCA site itself, no NuHart contaminants of concern were identified and therefore the installation of piles will have no bearing on the success of the NuHart remediation project. Dewatering will not be required during the pile installation process. As with all ground-intrusive activities, SCA will implement a Community Air Monitoring Plan (CAMP) during the installation of the structural piles and these monitoring results will be shared with OER daily.

I hope this letter has responded to the questions in the February 12 resolution. As always, SCA staff remain more than willing to discuss and address any questions or concerns on this or any other issues. Please feel free to contact me directly at 718-472-8005 or abender@nycsca.org at any time.

Thank you again for all your engagement and support of this project, and for your advocacy on behalf of the Greenpoint community for all these years.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andrea Bender", is written over a light blue circular stamp.

Andrea Bender

Vice President, External Affairs

New York City School Construction Authority



COMMUNITY BOARD No. 1

435 GRAHAM AVENUE - BROOKLYN, NY 11211- 8813

PHONE: (718) 389-0009

FAX: (718) 389-0098

Email: bk01@cb.nyc.gov

Website: www.nyc.gov/brooklyn1

HON. ANTONIO REYNOSO
BROOKLYN BOROUGH PRESIDENT



SIMON WEISER
FIRST VICE-CHAIRMAN

DEL TEAGUE
SECOND VICE-CHAIRPERSON

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JOHANA PULGARIN
DISTRICT MANAGER

HON. LINCOLN RESTLER
COUNCILMEMBER, 33rd CD

HON. JENNIFER GUTIERREZ
COUNCILMEMBER, 34th CD

February 18, 2025

Ms. Jennifer Gonzalez
Project Manager
NYSDEC, Region 2 Office
47-40 21st Street
Long Island City, NY 11101

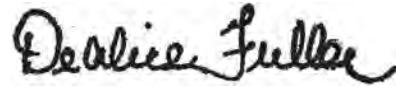
RE: Former Nuhart Factory Superfund Site No. 224136, OU2

Dear Ms. Gonzalez:

At the regular meeting of Brooklyn Community Board No. 1, held the evening of February 11, 2025, informed by a recommendation from its Environmental Protection Committee, the board members voted unanimously to request NYSDEC, regarding Operational Unit #2, require Madison Realty Capital, the superfund remediating and property developing entity at 65 Dupont Street, aka the former Nuhart Plastic Factory, Site No. 224136, post an publicly accessible inspection log near or on the groundwater pump-tank room, documenting maintenance of the groundwater pump tank including filter changes and emptying of pumped-in groundwater, and create a publicly accessible website documenting the same information. The board considers this measure imperative for safety, transparency and accountability.

Working for Safer Williamsburg and Greenpoint.

Sincerely,

A handwritten signature in black ink that reads "Dealice Fuller". The signature is written in a cursive, flowing style.

Dealice Fuller
Chairperson

CC: Hon. Nydia Velazquez, Congresswoman
Hon. Emily Gallagher, NYS Assembly Member District 50
Hon. Kristen Gonzalez, State Senator
Hon. Lincoln Restler, Council Member District 33
Ms. Jane O'Connell, Regional Remediation Engineer, New York State Department of Environmental Conservation
Mr. Andre Obligado, Professional Geologist, New York State Department of Environmental Conservation
Mr. Rodney Rivera, Special Assistant Region 2, New York State Department of Environmental Conservation



**Department of
Environmental
Conservation**

KATHY HOCHUL
Governor

AMANDA LEFTON
Acting Commissioner

April 18, 2025

Dealice Fuller
Chairperson
Community Board No. 1
435 Graham Avenue
Brooklyn, NY 11211
bk01@cb.nyc.gov

**Re: Former NuHart Plastic Manufacturing Site
Site ID No.: 224136
Brooklyn, Kings County**

Dear Dealice Fuller:

Thank you for your comment letter dated February 18, 2025 which was transmitted via email on February 20, 2025. The New York State Department of Environmental Conservation (NYSDEC) has reviewed your comments and provides the following responses:

COMMENT: At the regular meeting of Brooklyn Community Board No. 1, held the evening of February 11, 2025, informed by a recommendation from its Environmental Protection Committee, the board members voted unanimously to request NYSDEC, regarding Operational Unit #2, require Madison Realty Capital, the superfund remediating and property developing entity at 65 Dupont Street, aka the former Nuhart Plastic Factory, Site No. 224136, post an publicly accessible inspection log near or on the groundwater pump-tank room, documenting maintenance of the groundwater pump tank including filter changes and emptying of pumped-in groundwater, and create a publicly accessible website documenting the same information. The board considers this measure imperative for safety, transparency and accountability.

RESPONSE: The responsible party's consultant, Haley & Aldrich of New York, has confirmed an inspection/maintenance log will be maintained on-site; however the tank room is locked and is not publicly accessible. Going forward, a digital copy of the log will be included in monthly status reports submitted to NYSDEC. Once under site management, the consultant will include logs in the Periodic Review Reports. Periodic Review Reports and the Final Engineering Report, which includes all monthly status reports, will be publicly available on NYSDEC's DECinfo Locator website at [Index of /data/DecDocs/224136](https://indexof.data.dec.ny.gov/data/DecDocs/224136).

Should you have any additional questions regarding this letter or any other aspect of the project, please contact me at 718-482-4508 or jennifer.gonzalez@dec.ny.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jennifer G.', with a stylized flourish at the end.

Jennifer Gonzalez
Project Manager

cc: A. Obligado, J. O'Connell– NYSDEC
S. Chesler – CB#1 Environmental Committee Chair (stevechesler@me.com)



COMMUNITY BOARD No. 1

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COUNCILMEMBER, 33rd CD

HON. JENNIFER GUTIERREZ
COUNCILMEMBER, 34th CD

October 21, 2025

COMMITTEE REPORT Environmental Protection Committee

TO: Chairperson Fuller and CB1 Board Members

FROM: Mr. Stephen Chesler, Committee Chair
Environmental Protection Committee

RE: Committee Report from September 11, 2025

The Committee met on the evening of September 11, 2025, at 6:15 PM at 211 Ainslie Street, Brooklyn, NY 11211

Members: Chesler, Chair; Vega, Co-Chair; Bruzaitis; Espinal; Horowitz; Peterson; Hofmann*; Holowacz*; Torres*. (*) *Non board committee member.*

(6 Members constitutes a quorum for this committee)

Present: Chesler, Chair; Vega, Co-Chair; Espinal; Peterson; Hofmann*; Holowacz*; Torres*.

Absent: Bruzaitis; Horowitz*.

7 members were present. A quorum was achieved.

MEETING

A NEW BUSINESS ITEM FROM THE JOINT COMMITTEE MEETING HELD ON SEPTEMBER 11, 2025, ONLY RELATED TO THE ENVIRONMENTAL PROTECTION COMMITTEE

1) GREEN ASPHALT FUMES AFFECTING GREENPOINT RESIDENTS - Residents in Eastern Greenpoint have been complaining about hazardous fumes and odors in their homes affecting their health and quality of life. A case is being made that the fumes are emanating from

the Green Asphalt facility that produces recycled asphalt just across Newtown Creek in Blissville, Queens.

The New York State Department of Environmental Conservation (NYSDEC) has ordered Green Asphalt to address these concerns from the community about pollution and air quality.

DEC cited (see attached) them for a violation last year, and the manufacturer told local elected officials that they would work on a new air dispersion model. However, Green Asphalt still has not complied, as DEC just sent a follow-up letter mandating them to take action.

The DEC has requested Green Asphalt double the size of its smokestacks to better disperse emissions, giving them until December 11 of this year. They also requested Green Asphalt to take steps to curb dust and submit their asphalt for elemental analysis, to provide help in determining possible health effects.

Council Member Lincoln Restler and Assembly Member Emily Gallagher have been very aggressive in engaging with DEC on this matter, along with Senator Kristen Gonzalez and electric representatives from Queens.

Committee members agreed that the board should support the community and our elected officials in attempting to resolve this problem and help bring relief to local residents.

A motion was made to recommend the board support the residents of Brooklyn Community District #1 by sending a letter to NYSDEC stating if Green Asphalt is unable to remedy violations and resolution requests issued by DEC by December 11th, 2005, DEC should revoke their permit to operation this facility in its current location.

By William Vega

Second: Christine Holowacz

Yes votes 7 (4 board members, 3 non-board members)

No votes 0

Abstentions 0

Motion carried (by consensus).

Meeting adjourned.



June 11, 2025

By Electronic Mail Only

Steven C. Russo, Esq.
Greenberg Traurig, LLP
One Vanderbilt Avenue
New York, NY 10017
steven.russo@gtlaw.com

Re: NYSDEC Case No. R2-20240123-24

Dear Mr. Russo:

As you know, on January 23, 2024, the New York State Department of Environmental Conservation (the “Department” or “NYSDEC”) issued a notice of violation to your client, Green Asphalt Co. LLC (“Green Asphalt”) for creating nuisance air quality issues at its asphalt recycling facility located at 37-98 Railroad Avenue, Long Island City, New York, 11101, in violation of section 211.1 of Title 6 of the Official Compilation of Codes, Rules, and Regulations of the State of New York (“6 NYCRR”) and Condition # 5 of Air State Facility Permit No. 2-6304-01496/00002.

Since issuance of the notice of violation, the Department has continued to regularly receive numerous community complaints and inquiries regarding both the odor emanating from the facility and potential human health implications associated with emissions from the facility.

Accordingly, to immediately improve the air quality at the facility, the Department requires that Green Asphalt, **immediately once authorization from the New York City Department of Buildings is issued, but in no case later than December 11, 2025,** increase the height of the emissions stack at the facility from the current height of forty-five feet to a height of ninety feet. Ninety feet is the maximum stack height contemplated by Green Asphalt in its recent air dispersion modeling submitted to the Department. Based on the modeling data submitted to the Department to date, the Department agrees that increasing the stack height at the facility will help improve the air quality at the facility.

Additionally, **immediately after the facility’s stack height has been increased to ninety feet,** Green Asphalt must perform stack testing for all air contaminants identified in Attachment 1 of this letter. Green Asphalt must then resubmit to the Department air dispersion modeling that follows the Department-approved modeling

protocol. The resubmitted air dispersion modeling must use a standard cartesian receptor grid, accurate building locations, the results from the aforementioned stack testing, and the new stack configuration. Along with the corrected air dispersion modeling, Green Asphalt must submit to the Department an elemental analysis of the 100% recycled asphalt pavement materials handled at the facility.

Finally, to further improve the air quality impacts near the facility, the Department requires that Green Asphalt come into compliance with the new requirements set forth in 6 NYCRR Subpart 220-3 (Asphalt Mixture Manufacturing Plants) on an expedited timeline. Most importantly, Green Asphalt must control emissions and fugitive dust at the facility as follows:

- Achieve compliance with 6 NYCRR 220-3.4 (Emissions from Asphalt Cement Storage Tanks) **by September 5, 2025**;
- Achieve compliance with testing requirements set forth in 6 NYCRR 220-3.5 (Emissions from Aggregate Dryer) **by September 30, 2025**;
- Achieve compliance with 6 NYCRR 220-3.6 (Emissions from Storage Silos, Drag Conveyors, and Pug Mills) **by June 15, 2026**;
- Achieve compliance with 6 NYCRR 220-3.7 (Emissions from Load-Out Process Operations) **by June 15, 2026**; and
- Achieve compliance with 6 NYCRR 220-3.10 (Fugitive Dust Control) **immediately and no later than September 5, 2025**.

The Department looks forward to working with your client to resolve the ongoing air issues at the facility and to address community concerns. The Department will be in touch soon with a proposed consent order to memorialize the above requirements, as well as to memorialize the assessed penalty for Green Asphalt's violation of 6 NYCRR 211.1 and Condition # 5 of Air State Facility Permit No. 2-6304-01496/00002. In the meantime, please let me know if you have any questions.

Very truly yours,

Madeline Warner

Madeline Warner
Acting Regional Attorney

Ec:

Kerianne Melillo, kmelillo@cacindinc.com

James McMurray, jmcsmurray@cacindinc.com

Robert Bolt, robert.bolt@dec.ny.gov

Sam Lieblich, sam.lieblich@dec.ny.gov

Antonia Pereira, antonia.pereira@dec.ny.gov

Attachment 1
List of Air Contaminants to be Evaluated

Air Contaminants	CAS #
1,4-dioxane	123-91-1
Acrolein	107-02-8
Benzene	71-43-2
Butanone	78-93-3
Carbon Disulfide	75-15-0
Carbonyl Sulfide	463-58-1
Chloroethene (vinyl chloride)	75-01-4
Dichloromethane	75-09-2
Dimethyl Disulfide	624-92-0
Dimethyl Sulfide	75-18-3
Ethyl Methyl Sulfide	624-89-5
Ethyl Propyl Amine	20193-20-8
Formaldehyde	50-00-0
Hydrogen Sulfide	7783-06-4
Isopropylamine	75-31-0
Metals - lead, nickel, zinc, cadmium and copper	various
Methyl Mercaptan	74-93-1
Naphthalene	91-20-3
Polycyclic aromatic hydrocarbons (PAHs)	various
p-xylene	106-42-3
Styrene	100-42-5
Tetrahydrofuran	109-99-9
Thiophene	110-02-1
Trichloroethylene	79-01-6
Triethylamine	121-44-8



COMMUNITY BOARD No. 1

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HON. LINCOLN RESTLER
COUNCILMEMBER, 33rd CD

HON. JENNIFER GUTIERREZ
COUNCILMEMBER, 34th CD

October 24, 2025

Hon. Amanda Lefton, Commissioner
New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233-1010

Re: Green Asphalt Co. Air Quality Nuisance and Potential Health Hazard

Dear Commissioner Lefton,

On October 21, 2025, Brooklyn Community Board #1 voted unanimously to send this letter, based on a recommendation from its Environmental Protection Committee:

On September 11, 2025, at a meeting of the Brooklyn Community Board #1 Environmental Protection Committee, the committee chair conveyed numerous reports in the press (example attached), complaints from Greenpoint residents and outrage expressed by local elected representatives, that Green Asphalt's recycled asphalt plant located at 37-98 Railroad Avenue, Long Island City, New York, 11101, is creating an air quality nuisance and potential health hazards for residents living in the eastern portion of Greenpoint, downwind from this plant.

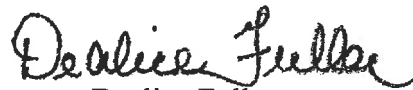
Attached is a letter (copy attached) from NYSDEC to Green Asphalt detailing their violation of the appropriate section of NYCRR and their Air State Facility Permit, whereby Green Asphalt is required to implement items from a DEC-issued plant remedial action list issued on January 23, 2024. As noted in the letter and from our accounts, complaints about air quality and health issues have persisted since then.

Therefore, if Green Asphalt does not meet the December 11, 2025 deadline to raise their stack and perform subsequent air monitoring, and institute the other remedial actions listed in the DEC letter, as per the vote noted above, Brooklyn Community Board #1 requests DEC revoke Green Asphalt's

Air State Facility Permit and facilitate shutting this plant down, for the sake of affected residents quality of life and health of our district and our friends in Queens.

Working for Safer Williamsburg and Greenpoint.

Sincerely,

A handwritten signature in black ink that reads "Dealice Fuller". The signature is written in a cursive, flowing style.

Dealice Fuller
Chairperson

Cc: Congresswoman Nydia Velazquez
Senator Kristen Gonzalez
Assembly Member Emily Gallagher
Brooklyn Borough President Antonio Reynoso
NYC Council Member Lincoln Restler



June 11, 2025

By Electronic Mail Only

Steven C. Russo, Esq.
Greenberg Traurig, LLP
One Vanderbilt Avenue
New York, NY 10017
steven.russo@gtlaw.com

Re: NYSDEC Case No. R2-20240123-24

Dear Mr. Russo:

As you know, on January 23, 2024, the New York State Department of Environmental Conservation (the “Department” or “NYSDEC”) issued a notice of violation to your client, Green Asphalt Co. LLC (“Green Asphalt”) for creating nuisance air quality issues at its asphalt recycling facility located at 37-98 Railroad Avenue, Long Island City, New York, 11101, in violation of section 211.1 of Title 6 of the Official Compilation of Codes, Rules, and Regulations of the State of New York (“6 NYCRR”) and Condition # 5 of Air State Facility Permit No. 2-6304-01496/00002.

Since issuance of the notice of violation, the Department has continued to regularly receive numerous community complaints and inquiries regarding both the odor emanating from the facility and potential human health implications associated with emissions from the facility.

Accordingly, to immediately improve the air quality at the facility, the Department requires that Green Asphalt, **immediately once authorization from the New York City Department of Buildings is issued, but in no case later than December 11, 2025,** increase the height of the emissions stack at the facility from the current height of forty-five feet to a height of ninety feet. Ninety feet is the maximum stack height contemplated by Green Asphalt in its recent air dispersion modeling submitted to the Department. Based on the modeling data submitted to the Department to date, the Department agrees that increasing the stack height at the facility will help improve the air quality at the facility.

Additionally, **immediately after the facility’s stack height has been increased to ninety feet,** Green Asphalt must perform stack testing for all air contaminants identified in Attachment 1 of this letter. Green Asphalt must then resubmit to the Department air dispersion modeling that follows the Department-approved modeling

protocol. The resubmitted air dispersion modeling must use a standard cartesian receptor grid, accurate building locations, the results from the aforementioned stack testing, and the new stack configuration. Along with the corrected air dispersion modeling, Green Asphalt must submit to the Department an elemental analysis of the 100% recycled asphalt pavement materials handled at the facility.

Finally, to further improve the air quality impacts near the facility, the Department requires that Green Asphalt come into compliance with the new requirements set forth in 6 NYCRR Subpart 220-3 (Asphalt Mixture Manufacturing Plants) on an expedited timeline. Most importantly, Green Asphalt must control emissions and fugitive dust at the facility as follows:

- Achieve compliance with 6 NYCRR 220-3.4 (Emissions from Asphalt Cement Storage Tanks) **by September 5, 2025**;
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- Achieve compliance with 6 NYCRR 220-3.10 (Fugitive Dust Control) **immediately and no later than September 5, 2025**.

The Department looks forward to working with your client to resolve the ongoing air issues at the facility and to address community concerns. The Department will be in touch soon with a proposed consent order to memorialize the above requirements, as well as to memorialize the assessed penalty for Green Asphalt's violation of 6 NYCRR 211.1 and Condition # 5 of Air State Facility Permit No. 2-6304-01496/00002. In the meantime, please let me know if you have any questions.

Very truly yours,

Madeline Warner

Madeline Warner
Acting Regional Attorney

Ec:

Kerianne Melillo, kmelillo@cacindinc.com

James McMurray, jmcsmurray@cacindinc.com

Robert Bolt, robert.bolt@dec.ny.gov

Sam Lieblich, sam.lieblich@dec.ny.gov

Antonia Pereira, antonia.pereira@dec.ny.gov

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Carbonyl Sulfide	463-58-1
Chloroethene (vinyl chloride)	75-01-4
Dichloromethane	75-09-2
Dimethyl Disulfide	624-92-0
Dimethyl Sulfide	75-18-3
Ethyl Methyl Sulfide	624-89-5
Ethyl Propyl Amine	20193-20-8
Formaldehyde	50-00-0
Hydrogen Sulfide	7783-06-4
Isopropylamine	75-31-0
Metals - lead, nickel, zinc, cadmium and copper	various
Methyl Mercaptan	74-93-1
Naphthalene	91-20-3
Polycyclic aromatic hydrocarbons (PAHs)	various
p-xylene	106-42-3
Styrene	100-42-5
Tetrahydrofuran	109-99-9
Thiophene	110-02-1
Trichloroethylene	79-01-6
Triethylamine	121-44-8

GREENPOINTERS



Image via Green Asphalt/Facebook

ENVIRONMENTAL

STATE ENVIRONMENTAL AGENCY DIRECTS GREEN ASPHALT TO TAKE STEPS TO CURB EMISSIONS



by Emma Davey
June 17, 2025