

**BROOKLYN COMMUNITY BOARD 6  
LANDMARK/LAND USE COMMITTEE  
JUNE 2, 2011**

**ATTENDANCE:**

**PRESENT:**

J. ARMER	P. BLAKE	W. BLUM
M. BROWN	P. FLEMING	G. KELLY
D. KUMMER	R. LEVINE	T. MISKEL
M. MURPHY	R. OBERLENDER	A. REEVES
M. SHAMES	E. SHIPLEY	R. SLOANE
E. SPICER	P. THOMAS	

**ABSENT:**

B. ATKINS	M. KENTON	R. RIGOLLI
D. SCOTTO	L. SONES	

**GUESTS:**

M. BROWN	B. APPEL	B. MESNARD
H. HESSELEIN	K. KELLY	N. ELBOGEN
D. BUXBAUM	M. DONNELS	J. MUIR
J. HATHEWAY	R. MILLER	L. MARIANO
S. MILLER	D. KRIEGER	

**\*\*\* MINUTES \*\*\***

**PUBLIC HEARING on 214 3<sup>rd</sup> Street (BSA Cal. No. 66-11-BZ).**

**Whole Food presentation:**

Whole Foods responds to some expressed concerns:

- Storm water runoff
- Recycled water in store
- Parking lot has porous pavers (excess water will be collected and treated.)

Jerry Armer - Why is traffic study so small?

A. Study area is typical and includes 8 intersections through which all traffic will flow. Not yet calendered at BSA. BSA does not require pre-certification as in ULURP.

Jerry Armer – Can the transportation study be enlarged without delay?

A. No, but the Department of Transportation has requirements and BSA has begun to study.

Community: asks about permeable pavement specifications?

A. Whole Foods explains how water will be collected.

Community: asks for clarification of motorized access percentages?

A. 68% Weekdays – 77% Weekends

Whole Foods would prefer pedestrian access but is required to outline worst case scenario and estimates.

Community: Whole Foods should do more to discourage auto use.

A. Whole Foods will provide delivery service to reduce vehicle trips.

Community: 2012 traffic study is inadequate. Existing conditions are unacceptable. School across the street unloads students directly across from the Whole Foods loading zone.

Elizabeth Shipley: How do we get people to walk to the store?

- Pedestrian approaches are not very inviting.
- Loading area is unworkable due to 3<sup>rd</sup> Avenue traffic.
- Should offer more to the community in exchange for such a sizable zoning variance.

A. Whole Foods said 380,000 can be built as of right. Variance is only for use if loading docks are required. Streetscape is typically urban.

Elizabeth suggests that some pedestrians must walk most of the way around the building to enter.

Community: Access is not very disabled friendly. Would like to see engineering reports to see how rain fall, see level rise, storm projections are being considered.

Daniel Kummer: Will ask Craig Hammerman to put the materials received on the CB6 website.

Phaedra Thomas: prefers the site swap with U-Haul. We at CB6 must only consider the 5 findings in our determination. Industrial use is not impossible and should be better protected.

- Cannot agree that the 5 findings have been answered satisfactorily.
- Will change the character of the neighborhood and encourage similar changes and greater loss of manufacturing space.

Bill Blum maintains that this is a mixed use neighborhood and an appropriate place for a Whole Foods.

- The traffic study is inadequate and referred to the recommendations presented by the 3<sup>rd</sup> Street Block Association.
- Perhaps a shuttle system to limit vehicular traffic.
- Should maintain the parking.
- Should confirm that Whole Foods will direct all trucks to use the 3<sup>rd</sup> Avenue truck route.
- Store should close at 10pm.

Community: Concerned about noise pollution from equipment at the store and from the trucks and vehicles.

A. The noise is reviewed by the Department of Environmental Protection and considered by the BSA.

Roy Sloane: Concerned that Whole Foods could be an impediment to cleaning up the canal.

WF: Has cleaned up the site through the DEC Brownfields Program. Will rebuild damaged bulkhead but most of it is in sufficiently good shape.

Bob Levine: Would like to see an improvement to the 3<sup>rd</sup> Avenue side of the building.

Community: Would like to know why WF had decided to build next to a toxic site.

WF: Cannot answer but will inquire how the decision was made.

Daniel Kummer: Asked about hours.

WF: Will hew to typical store hours – 8am – 11pm. Will inquire about modifications to hours of operation and the shuttle bus idea.

Daniel Kummer: Asked about the grade level increase.

WF: Elevation ranged from 9 (bridge) to 29 feet (3<sup>rd</sup> Street/3<sup>rd</sup> Avenue).

Pauline Blake: How will the proposed building affect the wetland designation?

WF: DEC determined that the deteriorated bulkhead can be deemed a wetland adjacent area and requires a 20% permeable area in its vicinity.

- Whatever water cannot be absorbed will be collected in drains, filtered and treated and fed into the canal.

Community: Questions the integrity of DEC which was discussed at a recent EPA meeting.

WF: Should work through CB6 for access and disclosure.

Community: Questions the 2012 traffic study.

WF: There is a CEQR traffic study requirement.

Jerry Armer: Must realize that the neighborhood expects windows on stores. It looks like you don't want to be part of the neighborhood.

WF: Rendering was made months ago and windows have been added.

Jerry Armer: Expresses concern about hours 7am-12pm will interfere with school across the street.

WF: All trucks are owned by WF and will be scheduled appropriately to be efficient and less disruptive. Can stipulate delivery hours in BSA application. Shuttle service is problematic because of NYC regulations.

Pauline Blake: Should establish a community liaison program.

WF: Are currently doing that with a store opening in Fairfield, CA. There will be a community liaison for this project. Regional office can be contacted.

Community: NYC has recently been recommending local sourcing. He sees a lot of West Coast produce at WF. What can be done to source locally?

WF: All 307 Whole Foods carry, at least, 10% local produce. Will often host farmer markets. Will grow food on rooftop greenhouse.

Daniel Kummer: Refers to a CB6 responsible developer policy. WF is the first developer which has responded to the questionnaire.

WF: WF is a green company and fosters sustainability through composting, solar power, waste water management, etc.

- Will use 300-400 union workers
- Starting pay is \$10/hour – average pay is \$15/hour
- 80% get health care, 401K and store discounts
- Work with local charities
- Will offer a community room
- Using recycled brick to construct
- Complying with NYC waterfront zoning requirements
- Building a large greenhouse on top to provide super local produce
- Will also provide educational opportunities

Mark Shames: Sad that government and institutions are not trusted. Every project has good and bad. We have to build real projects in the real world rather than dream projects. Would vote for this with reservations if he could stay for the rest of the meeting. Would support with conditions as expressed (traffic mitigation).

Elly Spicer made a motion to support the Whole Foods project and Pauline Blake seconded it.

Jerry Armer offered a friendly amendment: After one year, Whole Foods will do another traffic study with a ¾ mile radius and Whole Foods agree to the expense of any mitigation.

Bill Blum: Offers a friendly amendment to incorporate the 3<sup>rd</sup> Street Block Association recommendations to be made a condition.

Elly Spicer: Refuses to accept the list as is.

Bill Blum: Agrees to submit these recommendations to the Transportation Committee. Bill also recommends a closing hour of 10pm. Elly agrees.

Bill strongly urges consideration of a shuttle service. Elly agrees.

Michael Brown offers a friendly amendment to mitigate traffic better.

Elly agrees to send this to the Transportation Committee for evaluation and possible improvement.

Roy Sloane makes a friendly amendment that EPA submit a statement that the Whole Foods project will not negatively impact on the remediation of the canal.

Elly Spicer declines.

Elizabeth Shipley makes a friendly amendment to make the 3<sup>rd</sup> Street and 3<sup>rd</sup> Avenue walls include windows and be treated as storefronts as shown in the blueprints.

Elly Spicer accepts.

Phaedra Thomas is disappointed with the lack of examination of the 5 findings. This should be a zoning change – not a variance.

Jerry Armer disputes the claim that the committee has not done due diligence.

Pauline Blake calls the question.

**VOTE: 11.....YEAS 4.....NAYS**

**MOTION PASSED**

Roy Sloane made a motion that CB6 request a letter from the EPA stating that the

Whole Foods project will not negatively impact the remediation of the canal. Letter sent to CB6 and BSA.

Natalie Loney, EPA representative stated that the EPA is unlikely to provide a letter since the remediation has not been designed.

**VOTE: 11.....YEAS 2.....NAYS 2.....ABSTENTIONS**

**Presentation and review of a Certificate of Appropriateness application submitted to the Landmarks Preservation Commission for the addition of a roof extension with rear deck and HVAC equipment, conversion of window to door on rear elevation, installation of balcony at rear elevation and alteration to front areaway basement entrance at 627 3<sup>rd</sup> Street (between 8<sup>th</sup> Ave/PPW), Park Slope Historic District.**

Bob Levine asked if leaflets were distributed to neighbors. Applicant states yes and the community confirmed.

The Landmarks Preservation Commission hearing is on July 12<sup>th</sup>.

Scope of work described:

- Changing two windows in rear façade to better access deck on existing extension.
- Changing the windows on the back extension to all steel and glass rather than a brick structure.
- Addition of a rooftop addition.
- Will replace rooftop mechanicals.
- Addition of a rooftop deck.

Neighbor does not like the mass of it.

Bob Levine questions the suburban addition on the roof.

Jerry Armer does not like the upper door and tiny balcony and does not like the rooftop addition which is out of character.

Neighbor dislikes that all of the other additions match except for this proposal. Very uncomfortable with the reduction of privacy.

Allison Reeves: Okay with fenestration on rear extension but recognizes the privacy issue. Thinks the rooftop addition is out of character with the community.

John Hatheway, as an architect, finds fault with the addition on the roof. Side lot windows on addition is out of character. Original rear façade was brick and not a limestone wash. The rear was always less formal than the front. This is too dressy.

Bill Blum does not like the rooftop addition.

Roy Sloane said all modifications are tasteful individually but not harmonious when viewed together.

Jerry Armer made a motion to recommend to LPC that the design of the rooftop addition, refenestration of extension and excavation be rejected and this rejection held until our next Landmarks meeting before July 12<sup>th</sup> pending appropriate adjustments to the design elements

Bob Levine made a friendly amendment that photos and documentation of existing conditions be provided. Bill Blum seconded.

**MOTION APPROVED: UNANIMOUSLY**

There being no further business to come before the committee, the meeting was adjourned at 8:19pm.

The minutes were submitted by Glenn Kelly.