

**TRANSCRIPT OF PUBLIC HEARING BEFORE  
THE CITY PLANNING COMMISSION  
MARCH 21, 1960**

in the matter of ....

Comprehensive Amendment  
of the Zoning Resolution  
of The City of New York

Borough of Brooklyn

CP-15278

PUBLIC HEARING  
before the  
CITY PLANNING COMMISSION  
in the matter of a  
PROPOSED COMPREHENSIVE AMENDMENT  
Pursuant to Section 200 of the New York City Charter  
of the  
ZONING RESOLUTION OF THE CITY OF NEW YORK  
consisting of  
TEXT AND MAPS

Held at City Hall, Borough of Manhattan  
Beginning on March 14, 1960, and continued on  
March 15, 18, 21, 22, 23 and 25, 1960.

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CONTINUED HEARING - PROPOSED ZONING MAPS  
FOR THE BOROUGH OF BROOKLYN  
Monday, March 21, 1960

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CITY PLANNING COMMISSION

James Felt, Chairman  
Francis J. Bloustein,  
Vice-Chairman  
Goodhue Livingston, Jr.  
Robert Moses  
Lawrence M. Orton  
Michael A. Provenzano  
James G. Sweeney  
Commissioners

Pauline J. Malter, Secretary

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March 21, 1960

1.

CHAIRMAN FELT: The meeting will please come to order.  
Will the Secretary please call the roll?

SECRETARY MALTER: Chairman Felt, Vice Chairman Bloustein, Commissioners Livingston, Orton, Sweeney, Provenzano, Acting Commissioner Constable. Quorum present. This is a continued public hearing in the matter of a proposed comprehensive amendment pursuant to Section 200 of the New York City Charter of the Zoning Resolution of The City of New York, consisting of text and maps which are a part thereof and which are appended thereto, being GP No. 15278. On December 23, 1960, the Commission fixed Monday, March 14, 1960, for a public hearing on this matter, and for the convenience of the public and to insure orderly procedure and to permit a full hearing, the hearing was initially devoted to the proposed text of the Zoning Resolution and such hearings were held on Monday, March 14, 1960, Tuesday, March 15, 1960, and then on Friday, March 18, 1960, the hearing was held on the proposed zoning maps for the Borough of The Bronx. The hearing is being continued today and the subject will be the proposed zoning maps for the Borough of Brooklyn.

CHAIRMAN FELT: I would like to read a brief statement. As you may know, we have completed two days of hearings on the general text of the proposed Zoning Resolution. The testimony heard at these hearings --both in quantity and quality has given us assurance that New Yorkers have a growing understanding and interest in achieving a modern zoning ordinance for New York.

Felt / Malter

Today's session marks the second of five sessions devoted to the mapping in each of the boroughs. These meetings do not merely involve praise or criticism of the ordinance, but are in effect workshop sessions in which the public comes before this body to offer specific mapping recommendations and suggestions which will help us prepare the best resolution possible.

Many have told me that they would like to suggest map changes, but they did not want their requests to imply any basic dissatisfaction with the Commission's Proposal. I do not want anyone to feel that we regard the request for a mapping change as opposition to a modern zoning ordinance.

We understand that many of you support the general principles of the proposed resolution, but have specific questions regarding your property or your district. We welcome these questions and shall endeavor to resolve them equitably.

Criticism and suggestions offered at this time and at the other hearings are accepted in the constructive vein they are offered. No request, no matter how small, will be ignored. We will be spending many weeks working on these recommendations - reviewing maps, making checks in the field, meeting with groups and individuals. The result of this effort will be a zoning resolution in which every citizen can be assured that he or his representatives have participated. It will be your resolution. I would now like to read the names of the first three speakers. Charles Riedel, Chief engineer of the Borough of Brooklyn; secondly, Congressman Anfuso, and then Howard Mantel.

CHARLES RIEDEL : Mr. Chairman, members of the Commission, my name is Charles Riedel. I am Chief Engineer of the Borough of Brooklyn. I am representing John Cashmore, President of the Borough of Brooklyn. The Borough President's Office is making a study of this resolution and within the next couple of weeks the Borough President will present a report to this Commission, which will state his views on the effect this resolution will have on the people of Brooklyn. We will also have copies of this available for other people at that time.

CHAIRMAN FELT: Thank you very much. Congressman Anfuso?

HON. VICTOR L. ANFUSO : Mr. Chairman and gentlemen: First of all I wish to thank you for this opportunity of appearing very briefly before you. I am interested in the area which goes from Kent Avenue to Wythe Avenue and from the Brooklyn-Queens Highway into Division Avenue, which is in the Williamsburg area of Brooklyn - which I am honored to represent.

We would like to change that particular area from a commercial area to a residential area. We have in the community a great deal of low-income housing but we believe there should also be some middle-income housing. I might say that our district represents all kinds of people, all good citizens, and I believe they are entitled to both low and middle-income housing. There is absolutely none that I know of now being developed for middle-incomes. This is ideally situated, sponsored by the community at large, by all of the societies and organizations in the community, and we would ask this distinguished Board to give it consideration. Thank you.

HOWARD N. MANTEL: Mr. Chairman, I welcome the opportunity to participate in these hearings on the proposed comprehensive revision of New York City's Zoning Resolution. I appear here today strictly as an attorney and life-long resident of Brooklyn.

While no member of the present City Planning Commission happens to hail from our fair borough, I know that Brooklyn does have a distinguished ambassador in the form of this Commission's secretary, Pauline Malter.

In a recent article I wrote for a publication of the Brooklyn Bar Association on "Brooklyn and the New Zoning Resolution" I made this statement: "The future of Brooklyn as a place within which to live, work or play may well be determined by the 'Comprehensive Amendment of the Zoning Resolution of the City of New York' proposed by the City Planning Commission." Brooklyn is of course an integral part of the fabric we call New York, yet it has singularly retained a unique community identity. I suppose in a way that a person born or raised in Brooklyn can be compared to the Cockneys of London, who to qualify for that title, must have been born within hearing of the bells of Sir Christopher Wren's Church of St. Mary-le-Bow.

Brooklyn today cries out for major redevelopment of many of its older communities, particularly in the northern and central parts of the borough. From my understanding of the proposed zoning resolution - and I do not pretend to be an expert - I believe that if adopted it will prove to be the single most effective incentive to the continued improvement and betterment of the borough - and

indeed, the city as a whole - during the remaining years of the twentieth century.

With a proper allocation of space, based on anticipated needs, for residential, commercial and industrial developments of every type throughout the borough of Brooklyn, large scale developers of private housing should be willing and eager to invest in older, decaying sections they presently shun.

Luther Gulick in his remarks before this Commission predicted that 50 years from now New York City, without proper zoning, could become a city consisting of "a fine business center with tall buildings. This will be surrounded however by grey areas of economic decadence within which no sane private investor will be justified in sinking his money."

Mr. Chairman, I do not think that I have to remind the members of this Commission that many of the grey areas to which Gulick and the Harvard study people referred already exist. And yet I know that in Brooklyn many of these grey areas can and should - if endowed with proper zoning - become the finest urban residential centers in the United States. We all know what a distinguished job is being done in the redevelopment program of the downtown area, that is the Brooklyn Civic Center. Here is combined a fine community of both old and new civic structures, commercial and business buildings and lovely residences, with adequate light and air in a setting of splendid parks, served by modern arterial highway facilities and aesthetically pleasing parking facilities.

I would cite to you just one example of an area which is potentially among the finest residential communities in the city. I refer to the area immediately surrounding Ebbets Field. As you know this is generally a good neighborhood; it is by no means a slum. It is peculiarly enriched by being in close proximity to one of the finest botanical gardens in the world; it is also a stone's throw from our venerable Prospect Park. The area is served by both BMT and IRT subways with easy connections to the Independent line. It is within walking distance of the Brooklyn Museum and the central building of the Brooklyn Public Library. It is served by an unusual host of schools. As you know a huge private housing development is under way on the Ebbets Field site. It is my hope that this development will be the core of a major redevelopment of that entire area. Under the new zoning resolution proposed by the Commission, private realtors will be assured that they can invest their money in such residential development without fear that annoying commercial or industrial sites, giving off unpleasant odors, noises or gaseous waste, will deter people from renting apartments in these developments.

Brooklyn is a tremendous industrial center; with proper zoning, manufacturers should be able to find adequate sites for their plants in well located sites, convenient to the city's arterial network. This Commission is to be congratulated on giving its approval to two industrial parks in Brooklyn: one such park is to be developed under public sponsorship, the other privately. I hope that these two industrial parks will be just the beginning

of a host of well planned industrial centers, planned as an integrated part of the borough's future.

Mr. Chairman, I think we all know full well that zoning alone will not do the entire job. Included also in the needs of Brooklyn are:

Adequate laws and enforcement programs to insure that existing housing will be safe and sanitary. A vigorous public program to guard against ugly advertising signs and other intrusions on the basic beauty of the borough.

A concerted effort to get more trees planted on Brooklyn streets. A new awakening of public pride and community spirit. Completion of the arterial highway system, the Narrows Bridge and repaving of many, many local streets. A courageous attempt by this Commission and other responsible agencies to assure the eventual completion of the rapid transit system in the southern part of Brooklyn. Continued development of our educational plant and library facilities. A new home for the Brooklyn Children's Museum. These and other things are needed in Brooklyn, in many cases desperately. But to deal with the total picture of the physical face of Brooklyn and the rest of the city of New York we must have 1960 zoning, not zoning of the vintage 1916.

I support the zoning resolution and hope that this Commission and the Board of Estimate will have the good sense to adopt it, subject to necessary local modifications as appear just and warranted. Thank you.

Mantel

JOHN BAGGATA, representing MACY'S

MR. BAGGATA: Mr. Chairman, members of the Commission, I am John Baggata, manager of Macy's of Flatbush in Brooklyn. It is our feeling that Brooklyn cannot continue under the present Zoning Resolution, which was enacted many years ago.

- We think the downward trend can be reversed by new zoning regulations.

We also think that for Brooklyn to continue as a great borough it must build and rebuild many of its areas.

In Brooklyn we must provide for a major increase of available parking spaces, and we cannot over-emphasize the importance of new loading and parking requirements for new commercial structures.

Therefore, we are glad to approve in principle the proposed amendment to the zoning resolution, which seems to us to be for the protection of our borough. Thank you very much.

CHAIRMAN FELT: Thank you, Mr. Baggata. Is Mr. Hegeman present?

BERNARD L. HEGEMAN : Mr. Chairman, members of the City Planning Commission, ladies and gentlemen: I am appearing here today as a representative of the Brooklyn Real Estate Board to discuss the proposed mapping of Brooklyn under the proposed comprehensive amendment of the zoning resolution. As most of you know, I am an industrial real estate broker and, therefore, I will confine my own remarks to the industrial and manufacturing use zones in Brooklyn. Later, I will introduce one or two members of the Brooklyn Real Estate Board to talk about residential and commercial mapping.

I think the man or men who mapped Brooklyn do not like industry - from studying the mapping. As a further thought - we need, from Brooklyn, a member of Brooklyn on the City Planning Commission. Brooklyn is not represented at the present time and we have different problems from Manhattan.

When I appeared before you last May to discuss the Voorhees Walker Smith and Smith plan my first criticism of the mapping was of the absurdly low floor area ratio given to Brooklyn. This has not been changed under the plan under discussion today.

Gentlemen, do you realize that there are only two square blocks of manufacturing area in Brooklyn with a floor area ratio of 5. These two blocks with a zoning of M1-3 give a floor area ratio of 5, and there are just two square blocks in Brooklyn where you have more than a floor area ratio of 2. Even the Brooklyn Plaza of the Manhattan Bridge is zoned M1-1. The same is proposed for the Canarsie Industrial Park. This means a floor area ratio of 1,

and a maximum height of two stories before a setback. Across the bridge to the Manhattan Plaza, the zoning is C6-1, a floor area ratio of 6 and a height of six stories before setback. Brooklyn is not a suburb. It's part of New York City. It's not Nassau County, but the treatment you are giving it is more suitable to Nassau County. The Brooklyn end of the Manhattan Bridge is improved with many eight, ten and twelve-story buildings, and to limit further construction there by giving it a floor area ratio of 1 is to my mind utterly ridiculous. I realize, gentlemen, that the tendency in constructing new industrial buildings is toward one-story structures but there are many built-up sections of Brooklyn where there are concerns desiring to expand and would like to build multi-storied plants. If everything is to be zoned M1-1, M2-1 and M3-1, the owners would, in many instances, be compelled to seek variances in order to construct the types of buildings required. If you were to give us in Brooklyn the floor area ratios you propose to allow in Manhattan's industrial areas, I am sure there would be no overcrowding and congestion as a result of this mapping. The proposed industrial parks in Canarsie would be zoned M1-1, which might well be justified on the ground that substantial areas of open space are desirable.

However, large industrial areas in Greenpoint, Williamsburg, and many other parts of Brooklyn, with the exception of the Brooklyn waterfront, are also zoned M1-1. We cannot hope to make industrial parks in the older sections of the borough nor would it be advisable to attempt to do so. These parts of Brooklyn would not permit a change such as this.

Hegeman

CHAIRMAN FELT: Mr. Hegeman, in connection with the various sections you referred to, where you have made statements relating to the present mapping, will you also let us know now or in some future time what you think the mapping should be?

MR. HEGEMAN: Yes. I think the floor area ratio should be raised to at least five.

CHAIRMAN FELT: Does that apply to all over Brooklyn?

MR. HEGEMAN: Well, in the areas of built-up sections.

CHAIRMAN FELT: What we would like, Mr. Hegeman, is something from you, not necessarily now - but after your talk - which will indicate specific changes.

MR. HEGEMAN: Well, I've got a list of specific changes but I covered this floor area ratio as a bulk matter. I haven't pinpointed ....

CHAIRMAN FELT: The reason I suggest that is because there is an effort on our part to go into a complete and thorough review of everything that you are bringing up. In connection with that, it would be helpful to us and it would develop a more cooperative procedure if we had not only a statement as to what you didn't like but what you think it should be.

MR. HEGEMAN: I feel that the floor area ratio in that downtown area of Brooklyn and around Manhattan Bridge Plaza there should be at least 5.

CHAIRMAN FELT: Would you be able to give us a supplementary note indicating the boundaries? If we know where you think

it should be 1 or 2 or 5 or 8, or whatever the number is, then we've got something to go by.

MR. HEGEMAN: I will be glad to do that. Thank you, Mr. Chairman.

You have taken an area bounded roughly by the westerly side of Hewes Street, Broadway, Flushing Avenue, Bushwick Avenue and McKibben and Scholes Streets, which is now in an unrestricted zone, and with the exception of some strict zoning on Manhattan and Graham Avenues, you have put the entire area in a residential zone. In 1956, there were 42 entire blocks of unrestricted property and ten partial blocks in this area. 12 blocks were taken for a public housing project and the balance would be lost to industry if the mapping goes through as proposed.

We have four large breweries in Brooklyn - Schaefer, Rheingold, Schlitz and Pils. Schaefer is properly zoned M3 but the other three are in M1-1 or in M2-1. All three of these companies have expanded enormously in the last 25 years and are continuing to do so. To zone them into non-conforming uses would seriously hamper any further building construction.

As I said last May, there are more than 60 plants manufacturing paints and lacquers in the Borough of Brooklyn. Under the consultant's plan, only one of these was mapped as a conforming use in an M3 zone. Because you have increased the M3 area in Greenpoint or in Williamsburg, several more are now mapped

for conforming zoning. But approximately 50 paint and lacquer manufacturers would be in a non-conforming use zone under your proposed mappings.

As to specific mapping changes: the Consolidated Edison Company properties at the Hudson Avenue Power Station have been zoned M3-1, but properties adjoining to the west, where a number of large industrial buildings are located, have been put in M2-1. These should be in M3-2.

The 8-story industrial building at 25 Lafayette Street, corner of Debevoise Place, which was excluded from the taking for Long Island University, has been put into a C8-2 zone.

At the present time, this is a manufacturing zone and it should remain so as the building is used almost entirely for manufacturing.

The block bounded by Fleet Place, Willoughby Street, Flatbush Avenue Extension and Prince Street, has been put partly in C8-2 and partly in R-6.

William Langbein and Brothers, manufacturers of surgical instruments, have their plant including their drop forge operation in this area. This should certainly be put in a manufacturing zone.

The territory along Third Avenue from Baltic Street to Atlantic Avenue is now in an unrestricted area. This has been put in R-6.

Included in this territory are several million dollars in assessed value of industrial and commercial properties, including the Borden Company's properties, the former plant of the New York Times, the present plant of the New York Daily Mirror and many others. In my opinion, that's a high-handed outrage to do that to millions of dollars worth of industrial real estate - make non-conforming uses of them and give them a death sentence of 25 years.

In Red Hook the manufacturing zones should be extended to include everything to the west of Van Brunt Street. To increase residential zoning in that neighborhood is contrary to the trend as no new private residential construction has taken place there in over a generation.

In May, 1959, I suggested that the two bulk oil terminals, the shipyard and the concrete mix plant on Gravesend Bay be put in a non-conforming use zone to go along with the adjacent City incinerator, which incidently is zoned M3. You have merely raised this from M1 to M2-1. The area runs from Bay Parkway to 25th Avenue. In 1956, the City Planning Commission rezoned a large area adjacent to the Prospect Expressway. At that time, they left in an unrestricted zone a group of properties at 12th Street and 7th Avenue, another group on 15th Street between 7th and 8th Avenues, and also properties on Union Street between 7th and 8th Avenues. In the proposed rezoning, these areas are put in R-6, which would completely eliminate all non-conforming uses in 25 to 40 years.

And, incidently, a former car barn which the City is putting up at auction either Thursday or Friday of this week is taken out of the manufacturing zone, and it should be left in the manufacturing zone. In the consultants' plan, the Bush Terminal Buildings Company property on 3rd Avenue from 28th to 37th Streets was put in an M 2-1 zone. I suggested that it be put in M-3 to accommodate the many existing tenants who require M-3 zoning or any other tenants in similar lines who might want to move in in the future. You have now put it in M 1-2, an even more restricted class. The building at Berry and South Third Street, a modern concrete loft building is put in a residential zone. It certainly should be left in a manufacturing zone. Small junk shops are presently scattered throughout the borough in various unrestricted zones. They are, in a sense, a service industry and should be located in places convenient to the entire borough. Under the proposed resolution, they require an M-3 zoning. The present mapping limits M-3 to the East River waterfront and the Newtown Creek avea. Either you should change the classification of small junk shops or you should substantially increase the M-3 mapping. I prefer the latter course as it will help many other industries.

In that connection, gentlemen, I'd like to take a little time to read the list of industries that have to be in an M-3 zone and tell you the ones that have plants in Brooklyn: Asphalt or asphalt products - this is Group 18, Use Group. We have asphalt plants in Brooklyn, private and public. Beverages - I spoke about the breweries. Cement - a little misleading - I don't know whether you mean cement mix plants where they mix cement - if so, we have numerous cement-mixing plants. Chemicals - we have all kinds of chemical plants in

Brooklyn Coal or tar products including gas - we have such plants. Excelsior or packing materials - yes. Fertilizers - yes. Foundries - ferrous or non-ferrous - yes. Gelatin, glue or size - yes. Glass or large glass products, hair, felt, or feathers, bulk processing, washing, curing or dyeing, incineration or reduction of garbage, insecticides, fungicides, disinfectants, or related industrial or household chemical compounds, leather or fur tanning, curing, finishing or dyeing; heavy machinery. Matches - we don't have - they're in Long Island City; meat or fish products including slaughtering of meat or preparation of fish for packing; metal or metal alloys, reduction, refining, smelting or alloying; metal alloys or foil; metal or metal products; metal casting or foundry products; paint, varnishes and turpentine - I talked about them; petroleum or petroleum products, refining; raw plastic; porcelain products; radioactive waste disposal - I don't know that we have one but there is a concern looking for that space in Brooklyn; rubber, natural or synthetic; sewage disposal plants; ship or boat building or repair yards; soaps or detergents; steel, structural products; stock yards or slaughtering of animals; stone processing or stone products; sugar refining; textile bleaching; wood or lumber processing; wool scouring or pulling. Then under storage or miscellaneous uses: coal or gas storage; dumps, marine transfer stations for garbage; electric power or steam generating plants; grain storage; junk or salvage yards with no limitation on lot area.

Gentlemen, if you think in your mapping of M-3 Districts in Brooklyn, you have provided for the existing industry you are sadly mistaken. If you look at your mapping in Brooklyn, you will find that practically the only zoning of M-3 is along the waterfront and there is not enough space along the waterfront to take care of the existing industry in Brooklyn.

Hegeman

CHAIRMAN FELT: Mr. Hegeman, that's the purpose of these hearings today. You have been working closely with this Commission for many, many years and we understand each other. The purpose of these hearings is to see what the people of Brooklyn, the people of New York - what they think of this mapping and what their suggestions are.

MR. HEGEMAN: My suggestion is a great deal more M-3 mapping. I said it before when I was at the hearing on the consultants' plan; and certain additional areas were mapped - they changed the zone from M-2 to M-3 from Kent Avenue to Wythe Avenue and they put in the bridge area which was M-2.

CHAIRMAN FELT: Mr. Hegeman, I just want to assure you that we shall give consideration to every suggestion that you make. It doesn't necessarily mean that we will necessarily agree with you all the time but we will consider every suggestion that you make and every suggestion made by everyone in this room.

MR. HEGEMAN: Gentlemen, industry has a tendency to go where it's wanted and welcome and where municipal authorities do not give it "a hard time." Gentlemen, if you approve this new zoning resolution and this proposed mapping making hundreds of plants non-conforming uses in their present location, giving hundreds more a death sentence of 25 years, limiting the size of new construction, you can rest assured that these industries will interpret it as giving them a hard time. I know it's a fact that the industrial real estate brokers in the metropolitan area or outside of New York City proper are hoping this new ordinance is approved. New York City is their main source of prospects and they feel sure that if this new zoning resolution goes through in its present form they will have three or four times as many good prospects as they have now.

Hegeman

CHAIRMAN FELT: Mr. Hegeman, just for your information - in Fairlawn, New Jersey, 21 important industries have located. They left New York; they went to Fairlawn; that happened before there was any talk of a new zoning resolution. In other words, we shouldn't assume that the new resolution is the thing that will cause industry to leave. We feel - we may be mistaken - but I am quite certain we're not - that the new resolution will bring industry back to New York. I want to quote for the record an incontrovertible point and that is, 21 industries of prime importance left New York City and went to just one place in New Jersey - before any talk of a new zoning resolution. Are you familiar with that?

MR. HEGEMAN: Oh, I am. And that is just one place in New Jersey, as you say.

CHAIRMAN FELT: That is before the new zoning resolution. Let it not appear that all of the evil that may come as a result of other areas luring industry from New York is all applicable suddenly to this new zoning resolution.

MR. HEGEMAN: I didn't say that. I said they would have three or four times as many prospects as they have now, prospects who were in areas where they were non-conforming and if they needed to expand, they would be stymied and, also where they would have a 25-year death sentence on them. I don't attempt to blame all moving of industry on zoning resolutions, new or old.

CHAIRMAN FELT: You don't but others do. (laughter)

MR. HEGEMAN: I certainly didn't mean my remarks to be interpreted that way. Gentlemen, this zoning and mapping will drive industry out of New York and, Mr. Chairman, instead of being known as the man who brought the first industrial park to New York City, you will go down in history as the man who forced industry to move out of Brooklyn. (laughter) Then change this resolution, please.

CHAIRMAN FELT: I just want to assure you at this point that wherever there appears to be a valid basis for changes in mapping or changes in other elements of the resolution and we have many such items before us now, which we know we are going to recommend, we will do so.

MR. HEGEMAN: Gentlemen, may I now present Mr. Milton Rosen, a member of our Board, who will point out the specific locations in the southeasterly part of Brooklyn where he feels the proposed mapping should be changed.

MILTON ROSEN. Last year I appeared at your hearing in Brooklyn to present my views on the proposed zoning resolution. I am happy to state that several map changes recommended by myself were adopted on the new maps. Other map changes probably will be made as the Commission sees fair and reasonable.

However, the text of the resolution as regards residential zoning is such that map changes alone will not prevent a serious halt of building activities in Brooklyn unless R3 to R5 zones are changed to R6 or better.

In the various forums, discussions and newspaper articles, all the emphasis has been on apartment house and office construction. No mention has been made of the effect of this resolution on one and two family homes.

Referring specifically to Sheepshead Bay, East Flatbush and Canarsie, the areas in which two family home construction is primarily concentrated, these areas are now predominantly D and D1 permitting 55% land coverage. The proposed zoning is R3 and R4 permitting 25-35% land coverage on buildings of two stories in height and even less on 2½ or 3 story buildings. Even the F.H.A. and V.A. which are national agencies with very stringent property requirements will accept 50% land coverage in the City of New York, whereas they limit other areas to 35%.

The typical home being built at present is the attached two family, ranging from 18 to 24 feet in frontage by 45-55 feet in depth and contains 2700-3600 square feet of living area including basement and/or cellar. The price ranges from \$24,000. \$32,000.

These homes are being purchased by people in the \$6,000 to \$10,000 income level. My mortgage application files can be made available to you to substantiate this point.

Under the new zoning resolution in R3 and R4 the additional cost of land, construction, fill, sewer and street improvements would increase costs by \$6,000 per house. Not only would these purchasers be unable to afford these increased costs, but the additional carrying charges would be in excess of their budgetary ability.

By limiting the number of rooms on a given plot whether in a home or an apartment would increase costs, force families to overcrowd apartments to keep within their budgets, and thus create slum areas.

Is it our intention to drive this income group out of the City? This would certainly be the result. The City would become the home of the wealthy who could afford higher costs, higher initial down payments; higher rents or higher maintenance costs; or the home of poor who would be eligible for City Federal or State subsidized housing.

I am certain this is not the intent of the Planning Commission. If a new zoning resolution is adopted, special provisions should be incorporated into the law excepting one and two family homes from the floor area and open space ratios and the proposed courtyard requirements in R3, R4, R5.

Again I wish to call attention to specific incongruities in mapping on Map numbers 23 (A, B, C) and 29 (a).

1. Both sides of Flatlands Avenue- Ralph Avenue to East 89th Street should be zoned commercially. This is a wide traffic artery with many gas stations and other automotive use.

2. Residential zoning bordering M-3 at Knapp Street and Voorhies Avenue and also south side of Avenue U between Flatbush Avenue and Mill Avenue. This is contrary to principles announced in this resolution. No buffer zoning provided to residential zoning directly across the street.

3. The westerly side of Rockaway Parkway between Sea View Avenue and Avenue N has been recently rezoned to Local Retail. The proposed maps show it as residential.

4. Utica Avenue from Foster Avenue to Flatbush Avenue should be zoned commercial. There is no possibility of residential construction on this heavily trafficked avenue. The only housing is on the east side between Avenue O and Fillmore Avenue. On the new maps I have noted a small area at Avenue J has been changed to C8.

5. The northwest corner of Avenue U and Mill Avenue is improved with a brand new supermarket. It is now slated for residential.

I sincerely hope that the Commission will not be too hasty in adopting a new zoning resolution until the entire matter has been restudied in light of the opinions expressed at the hearings. It is better to spend more time on the proposal rather than to rue later the basic errors of judgement made in the text. The economic and physical future of our City rests on this resolution.

Rosen

MR. HEGEMAN: Mr. Chairman, I would like to introduce another member of the Brooklyn Real Estate Board and I would like to add one thing to what I said. I would like to say, as I said in May, that I feel that all zoning now Unrestricted or Manufacturing should, if it is still in use for that purpose, should be put in a Manufacturing Zone in the new mapping. Mr. M. C. O'Brien, Jr.:

CHAIRMAN FELT: Mr. Hegeman, there has been some question raised from time to time on non-conforming uses. I would like to read a statement on that item before Mr. O'Brien speaks.

I would like to clear up some rather widespread confusion regarding the proposed treatment of non-conforming uses.

Termination of non-conforming uses is required in the Residence Districts only for the following types of uses: 1) Billboards; 2) non-conforming manufacturing and related uses.

I repeat: these termination provisions for Billboards and manufacturing uses would apply in Residence Districts only. They do not apply to Commercial Districts. They do not apply to any Commercial uses including retail stores, service establishments, garages or filling stations, regardless of where they are located.

Also, let me point out that non-conforming residential uses in manufacturing districts are not subject to termination.

The intent of these regulations is to eliminate ultimately those types of uses which are most offensive in a residential neighborhood.

Mr. O'Brien?

Hegeman

M.C. O'BRIEN, JR.: Mr. Chairman, ladies and gentlemen, members of the Commission. I appeared before your body last year. I suggested some 14 mapping changes in the Flatbush area. Six of these suggested changes were granted completely and two were granted in part. However, in the revised maps of December, '59, the area generally bounded by Clarkson Avenue, New York Avenue, Hawthorne Street and Rogers Avenue was changed from M-1 to R-6. This locality, among other things, includes the Brooklyn Union Gas Company storage tanks, a New York City Sanitation Department garage, a new 26-lane bowling alley, a 25,000 square foot warehouse of the Metropolitan Tobacco Company, which is open about two years now, a 41,000 foot warehouse of the Murray Manufacturing Company and the service and repair facilities of Flatbush Chevrolet, one of the Borough's largest Chevvy dealers. None of these uses to which these buildings are put are undesirable and I feel that the original mapping of M-1-1 should be restored. Just prior to leaving the office I received a call from a man to whom I sold a piece of property on the west side of Alabama Avenue, just north of Flatlands, between Flatlands and Cozine. He put up a new structure. The firm is Rayno Distributors. They sell various gases. He finds himself in R-3, which makes him quite unhappy. He would like to see a more conforming zone map change made for his specific purpose and, also, that whole west side there is presently undeveloped,

O'Brien

but the easterly side of Alabama Avenue is built up with factories. I don't think that if I were buying a house I would want to rush out and buy on that particular block on which the factories are on. Thank you.

CHAIRMAN FELT: Thank you very much. You will send us a memorandum on that.

MAC CORT : I think enough has been said by the previous members of the Board. I am here only on a selfish purpose. My wife owns a piece of property that is on Page 22-C of the zoning map - at the bottom of the page. It's at the corner of MacDonald Avenue and Elmwood Avenue. It is presently zoned all the way from MacDonald Avenue to East Third Street - it is zoned Business. Under the new zoning, on MacDonald Avenue, it would be M-1-1 and the rest of it would be R-5. Unfortunately, this backs up on the Long Island Railroad, and the depth of the plot, which is the maximum that you can get, is from 30 to 45 feet. Now, on the south side of Elmwood Avenue, you have a factory that makes macaroni products. What I would like to ask is that the M-1-1 zoning be continued for 250 feet to the westerly side of East 2nd Street.

CHAIRMAN FELT: Mr. Cort, the young man sitting at the desk will give you a sheet of paper. Would you indicate on that just what the proposed zone is and what you think it should be, including the reference to the depth of the plot.

Mr. Denahy?

D.J. DENAHY : My name is D. J. Denahy, 408 Jay Street, Brooklyn. I represent approximately ten owners of property that are all bounded within the block of Manhattan Avenue, Skillman Avenue, Jackson Street and Graham Avenue. This property was formerly occupied by the Valpar Paint Company. These people purchased the property within the past year. When they purchased the property there were no mains, no water lines, no heat, no facilities whatsoever because it had been centralized by the former occupant. They had paid approximately a quarter of a million dollars for the property and spent approximately \$150,000 renovating it. Part of this property they will occupy - the various owners - part of it is for rental purposes. It has been suggested in the zoning that this be turned back to residential area and we hope that you will consider the present situation. I'll give you more details in a memorandum.

CHAIRMAN FELT: Thank you. Mr. William A. Delano?

WILLIAM A. DELANO : My name is William A. Delano and I am a candidate of the West Brooklyn Independent Democrats for State Assemblyman. This is in the Third Assembly District of Brooklyn. The West Brooklyn Independent Democrats heartily endorse in principle the City Planning Commission's proposed comprehensive amendment of the zoning resolution of the City of New York. A West Brooklyn Independent Democrat representative will speak in favor of the proposed resolution at the coming Board of Estimate hearings. Our housing committee and zoning committee have gone

thoroughly into your report and back it 100%.

After 40 years of patchwork amendments, what was a pioneering zoning resolution in 1917 is today, as you gentlemen know better than I, an inadequate instrument to guide the development of this fine City. It is outmoded, cumbersome, and completely lacking in the qualities of flexibility which we need in the years to come.

The West Brooklyn Independent Democrats are against sardine zoning. As Exhibit One, I'll present you with a little can of sardines and I would like to quote from the report endorsing, in principle, your zoning resolution, prepared by the Committee on Real Property Law of the Association of The Bar of The City of New York. I worked on a subcommittee of the Committee on Municipal Affairs, and so was familiar with this report and I would like to quote from it: "Full utilization of the present resolution would result in a City of about 55 million residents and 250 million workers, a total city pattern so far from the recognizable city of today and of the future is not capable of rationally controlling land development. We think that your new proposed resolution will cut down on overcrowding and assure City dwellers more light and more air. We trust this enhancement of our living and working space would encourage members of our suburban-bound middle class to stay in the City or, indeed, come back."

Delano

Now, since we seek to know every part of the Third Assembly District and to work this out as other problems of our citizens, I would like to briefly point out a few equitable changes in the proposed resolution affecting Red Hook, Bay Ridge - that's the Bush Terminal area, and Brooklyn Heights. Our representative has already discussed these changes with your staff, so I shall not go into complete detail. I've left one copy of my memo with your secretary here.

An earlier speaker spoke of Red Hook and emphasized the need for further industrial area there. I don't know how many of you gentlemen have been to Red Hook and seen the housing project completely strangled by industry, much of it deteriorating industry. We suggest the change from M-1 to R-7 to provide residential access to Hamilton Avenue. This is the block of Columbia, Nelson and Hamilton. This separates the housing project from Hamilton Avenue and we would like to eliminate the sense that the residents of Red Hook have, of being ringed in by factories. The present use of this block is a mixed industrial and residential use.

Next, the area covered by Dwight, Lorraine, Hicks, Bay, Columbia, Sigurney and Van Dyke: We think this should be changed from M-1 to R-7 to eliminate industrial areas jutting into the recreational area. This is one of the finest recreational areas in Brooklyn - that we have down in Red Hook. People come from as far away as Coney Island to play baseball in this section. All through the Third Assembly District, people visit the swimming pool

in the summer and yet, right around it, are deteriorating industrial areas and storage places. Lorraine facing the Red Hook Houses should remain commercial to serve the housing project. The present use in this area appears to be mixed. We think that both areas should be R-7 rather than R-5 to permit more ready construction of high-rise apartment developments allowing tenants above the fourth or fifth floors to enjoy the magnificent view afforded of the lower Manhattan skyline and the Upper Bay. This is not an area that could not be brought back into a residential area. There are sections that are not used by industry there today and if we brought in middle-income housing, we think this area could again be an alive and vital community for people to live in close to where they work. Many of the people living there now work in the dock area, in the factories down there, and what is needed is a little faith shown by our City fathers that this area has not been cut off, as it was by the Hamilton Expressway and forgotten.

We certainly do not want to sacrifice the housing project there.

Now turning to the Bush Terminal area - Third Avenue, 40th Street, to 60th Street, the East Side: On the map it is not quite clear and your staff has assured me that they will look into it to see if what we think, from reading the map, is true. If it is true, it should be changed. It would seem to be that after raising this strip to make way for the Gowanus Expressway, they have zoned the area to the east as M-1-2. Previously, this was

all residential. And if, indeed, we have an M 1-2 cutting into what is left of that block it should be changed.

Now, let me take you to Brooklyn Heights: this is one of the most exciting areas of the City of New York. I myself am a property owner and a tax payer in Brooklyn Heights, and there are thousands of people right now, and I can say thousands, looking for houses to buy. I have four children, two of my children are right in this room now. There are many other families there, young families with two, three and four children. These are the people I'm sure you want to live in the City of New York. These are the middle-class group that will pay more taxes, will have a greater interest in the City, and they should not be cast out to the suburbs.

We have a blotch in Brooklyn Heights ringed by Poplar, Henry, Fulton and Hicks Streets. It is now zoned as M2-1. This is medium to heavy manufacturing, as I understand it. The block is located directly next to P.S. 8, a public school, and a half-block away from Assumption Parochial School, as well as adjoining an R-7 Residential zone. This is the only block in the entire Brooklyn Heights area zoned for manufacturing. The present use of the block is mixed residential and commercial.

Fulton Street is a natural dividing line to separate the residential from industrial areas. This block should be zoned R-7 because of its proximity to two elementary schools, to a high-grade residential area, to the proposed Cadman Plaza redevelopment and, furthermore, to add another residentially-zoned block to this

geographically separate Brooklyn Heights area. We think that the industry that is to the north of this block will continue to go on and be there but it is separated from what is otherwise an almost completely residential zone.

Finally, in Brooklyn Heights, the northwest corner of Montague and Hicks Streets: This is zoned as Commercial. It is adjacent to Heights Casino, one of the very fine clubs in Brooklyn Heights, and the present site of apartment buildings without stores. We believe there is sufficient allowance on Montague Street to the east for commercial stores. This corner should be zoned purely residential, R-6, without commercial store allowance, to prevent downgrading of the adjoining residential areas.

I am sure that if any of you gentlemen walk in Brooklyn Heights, or go down to Red Hook, or go along the area in Bush Terminal, in the Bay Ridge Area, you will agree with the specific changes that the West Brooklyn Independent Democrats call to your attention.

I have an associate from Brooklyn Heights, Mrs. Ardith Rauschman, who is scheduled to follow me. Would you hear her now, please?

MRS. ARDITH RAUSCHMAN: I am glad to have this opportunity to speak before you on the proposed amendment to the zoning resolution and to convey the general approval of the Community Conservation and Improvement Committee, which is commonly known as CIC, and it is located in Brooklyn Heights. I wish to confirm the specific exceptions to the proposed changes in zoning referred to by the previous

RAUSCHMAN

speaker and I shall not take your time by repeating them.

As a resident of Brooklyn Heights, I too favor the proposed revisions because I feel they will help perpetuate the character of Brooklyn Heights, a community I am deeply attached to and where I hope to spend my entire life. But I'd like to talk this morning as a resident of the Borough of Brooklyn and as a resident of New York City. We, who love New York, have heard with distress the gloomy prophecies about its ultimate fate; that it will someday become a city of slums and factories, with occasional outposts of luxury residences. Those of us who fall within that immortal special category known as middle-income find little to comfort us in this forecast. We note with alarm that more than half a million people have fled Brooklyn to the suburbs in the past decade.

Is there any reason why this great metropolis should be deprived of its middle-income class, the backbone of civic leadership and responsibility? Surely, there must be a way for the City to compete effectively with the suburbs for the loyalties of middle-income residents. The answer is supplied in part by the sound and healthy planning of this new zoning proposal; planning designed for wholesome communities where our children and grandchildren and great-grandchildren can live pleasantly and fruitfully. Encouraged by proper zoning provisions, communities all over the City can take heart and confidently begin a program of self-improvement, which will both provide more middle-income housing and save desperately needed tax dollars. This is why the Community Conservation and

Improvement Committee supports the new zoning amendment and strongly urges its quick passage. Every moment lost is a step backwards for New York City. Let us progress with good zoning. Thank you.

CHAIRMAN FELT: Thank you. Is Dean Grossi present?

OLINDO GROSSI ; I am Olindo Grossi; I am the Dean of the School of Architecture of Pratt Institute; I am a practicing architect, and I have been very active in professional societies. I was recently President of the Architectural League of New York and have served on the Executive Committee of the New York Chapter of the American Institute of Architects and am presently a Director of the New York State Association of Architects and the Vice President of the Collegiate Schools of Architecture.

I speak as an individual but I can represent, also the fifty forward-looking architects and planners, who are practicing as individuals and who are teaching in our school. We have been very much concerned with both architectural and planning problems and have given very much time to these studies.

From the point of view of architecture and planning, I am keenly aware of the persistent spread of blight and deterioration over much of this City due to congestion, overcrowding, traffic congestion, dirt, smoke, etc. This I consider a form of decay.

Our only guides, the 1916 zoning laws, are now badly out-dated to cope with the immense growth which has taken place with the great numbers of people, sizes of buildings, amounts of cars. This City can be destined for great retrogression, due in

parto to the inefficiencies of congestion, of people, buildings and services. We see this taking place daily. We have been told this by planning reports. Because there is to be expected in the near future a vast amount of building and renovation, the greatest importance should be placed on improved regulations which would encourage superior performance in these projected programs. The very success of this City depends on this.

The new zoning resolution offers an essential foundation for protection, rehabilitation, and rebuilding. It would control growth and prevent overbuilding. The maximum envelope now permitted would produce an unlivable city, at the mercy of pure exploitation of land values to the detriment of the City. The City Planning Commission therefore is acting in the public interest and that of the City as a whole, rather than for any one group.

I'd like to list a few advantages that I see in the new zoning: 1: it establishes a rational pattern of land uses, with clearly designated distinctions between housing, industry and other essential activities. It properly rules residential and manufacturing incompatible.

2. It sets up realistic and appropriate levels of residential density, so that future housing development will not repeat the mistakes of the past, such as lack of light and air, inadequate open space, no green areas for children to play and old folks to sit and rest in.

3- It encourages a much better type of modern architecture - gets away from the ugly, monotonous setback type of building mass. The best modern office buildings - Lever House, Seagram, Corning Glass - and some of the finest new apartment developments - were models on which the new resolution was built. I especially commend the bonuses given for open space and provision for added ground level space through the use of plazas. The needs of the pedestrian are here recognized.

4- It sets up performance standards for industry, which will lessen the amount of smoke, dirt, noise, and other blighting influences often produced by industry.

5- It requires that industries located in residential areas be given 25 - 40 years to terminate - ample time for their owners to recover their investment but giving promise to the surrounding homes that in time the blighting influence will be removed.

6- It proposes conditions which have to be met before a variance is granted, in contrast to the present wide open procedure which has made a mockery of the present zoning in so many areas.

7- These advantages and others lay a sound base for renewal to properly permit and encourage fine, redevelopment projects to come.

In conclusion: New York City has waited a long time for this ordinance. Under the present resolution, an architect's hands are tied. It forces upon him, if he is to take full advantage of the

bulk permitted, a clumsy, mis-shapen building design, which no competent architect would choose of his own accord. Because the present rules are related only to the individual lot and not to the impact of buildings upon one another, the individual architect is often asked to design buildings which he knows will not be in the best long-term interests of the City. Most of the time he cannot do anything about it. He must try to squeeze the most building into the envelope. Too, it is fair to recognize that the individual builder or developer cannot be expected to worry too much, about the impact of an individual building on other buildings, on traffic, street congestion, parking, etc. Therefore if the City wants to keep builders from building too much bulk on a lot, it is up to the city to make rules which would make this impossible.

This is exactly what the proposed resolution is designed to do. Once the ground rules are laid out, architects will be free to design creatively, within a general framework of overall bulk and density. Instead of one standardized shape dictated by the present rigid envelope, they will have a variety of designs to choose from. Buildings will be able to take simpler shapes, spaces between them will be more pleasing, and architects will have wide flexibility to design good buildings which will be both more attractive individually and better neighbors to one another, and better citizens of our whole City. Our City will be more beautiful.

Naturally the architects who have contributed most to the esthetic growth of architecture in this city are for the proposed resolution...The architects and all other citizens who are thinking of the welfare of the city are for it. All of us - architects, builders, real estate developers - whether we live here or work here or do business here - will benefit from the new zoning. I urge its enactment with the least possible delay, and without crippling amendments.

Chairman Felt: Thank you, Dean Grossi. Is Mrs. Martha Leigh present?

Grossi

MARTHA ROSS LEIGH: The Women's City Club has already endorsed the proposed zoning resolution, chiefly because it would effectively control congestion and population density, if suitably applied to the zoning maps.

We consider this proposed zoning to be a substantial improvement over the present zoning for Brooklyn. When adopted, Brooklyn should be able to maintain its advantages as a place where families in a wide range of income levels may rear their children in healthy, pleasant surroundings where the light of the sky can be seen without craning of necks and the warmth of sunshine experienced without having to take a subway ride in order to find a spot of it.

We are glad to find that at least part of the Greenpoint section is now to be zoned residential (R4), as was urged by the Women's City Club last year, instead of manufacturing. Thus this really charming group of streets with low houses in good condition is likely to continue in its present attractive form.

Unfortunately in some places such as along the Coney Island shore and on the crest of Brooklyn Heights, some high rise apartment buildings have already been built in such a way as to shut off the adjacent inland properties from the water view and deprive them of the open breezy aspect of the area. Nevertheless these waterfront areas should now be zoned for lower density and lower bulk, possibly permitting a higher rise and higher density to share benefits and values for several blocks inland. Accordingly we recommend that the Coney Island waterfront be zoned R6 or R5 instead of the proposed R7; and that the Brooklyn Heights waterfront, in the

residential districts, be changed to R5 instead of the R6 which is mapped.

We admit we are not familiar with the details of the studies which predict the need for more and more people to live in Brooklyn. As we travel the public transportation facilities, try to shop and to get home again with our purchases we are inclined to think there are plenty and more people there now than there should be. So, in the interest of lower bulk and density, we suggest the restudy of two areas, both designated R6 in the Brooklyn map, namely the very large Bedford Stuyvesant section and the Bay Ridge section, at least from Sunset Park to the freight line. Parts of these sections are built over with three or four story houses in good condition, with occupancies that would seem to indicate mapping R5 for some areas within these boundaries.

Similarly from 74th Street to Dyker Beach we suggest consideration of rezoning R3 instead of the proposed R4. This section now includes attractive upper middle income housing of low density. So far as we can discover there is nothing to indicate a great demand for appreciable change within the foreseeable future.

The Women's City Club is always concerned when a Public Housing Project is isolated from other residences for whatever reason. We know that under the limitations of the early housing law some of our Public Housing Projects had to be built in locations that were known to be unsuitable for housing of any sort. However there they are and there they will be for probably another fifty years. To permit these concentrations of low income families to become isolated residential

islands, in a sea of manufacturing and commercial activities, is certainly inviting a variety of social disasters. Some physical contact should be achieved with the nearest large residential district so that the incentives and association advantages of contact with families of a wider economic and social range may be developed. Therefore we sincerely hope that it will be found practical to zone for residence more of the land immediately adjacent to Red Hook Houses. Possibly a strip of land between the Housing Project and the highway might be changed from M1 to R4 or R5. Now that the Housing Authority is making a great effort to bring Project tenants and people from the surrounding communities together in various activities, the proposed zoning should be planned to support this worthwhile endeavor whenever feasible.

In closing we urge prompt adoption of the proposed zoning map of Brooklyn along with the new zoning resolution. Delay will only mean more overbuilding and unsuitable building. The suggestions we have made could be studied during the one year grace period and if feasible could be established by later amendment. The important thing now is to enact this excellent new zoning so that our City may develop in future years more nearly as the majority of its citizens hope to see it - an attractive fairly open community with a place for everything and everything in its place.

Leigh

REV. MIECESLAUS MROZINSKI : Gentlemen, I appear today as a representative of my parish, St. Cyril Methodious Church at Greenpoint, at 119 Eagle Street. I represent 1400 school children,- 800 are from my school and 600 from the public school. We support your proposed zoning resolution as being a big improvement and will provide the necessary repose and peace for our working people and their families. At present, there is a plastic factory there and my school is within a half a block away from it on Dupont Street between Franklin Street and Manhattan Avenue.

The street is a play street and I have no yard for the children. The big trucks that come there - they come so near to my school and there's noise and fumes. I think it is a great danger to the health of our children. I have at present 800 and there will probably be an increase next year.

I favor it as it is now. I think that half of the block belongs to him and half belongs to the school and the people. I favor it as it is. If it goes any further, I will have to protest it and fight for the welfare of my children. Thank you.

CHAIRMAN FELT: You are speaking in favor of this resolution?

REV. MROZINSKI: As it is now.

BENJAMIN OVERTON : Mr. Chairman, members of the Commission, I am asking, with your permission, that Mrs. Martha Ross Leigh represent the Bedford Stuyvesant Neighborhood Council because she is very well capable and familiar with the sentiments of that section of Brooklyn.

MARTHA ROSS LEIGH : I am Martha Ross Leigh and the Chairman of the Executive Committee of the Bedford Stuyvesant Neighborhood Council. I want to say just a few words about the Bedford Stuyvesant area. As you know, we appeared here last week in favor of the text of the resolution. During the past week we have been consulting about the maps and, frankly, we cannot come to agreement on certain aspects of it, primarily because we are confused by fear. Most of the people in this area live in houses that are houses, and this whole area, a very large area, of central north Brooklyn, has not reached the transition whereby many people-in at least one borough and in many cities throughout Europe where I've been in the last ten years- whereby the people have given up the idea of living in a property over which they have at least partial control.

In maybe fifteen or eighteen cities of Europe in the last ten years where I have visited and observed housing conditions, the housing conditions were in the central built-up parts of the city and in a wide-spread range of cities - Paris, Amsterdam, Rotterdam, Brussels, Copenhagen, etc., going on up to Stockholm, in Finland, Helsinki and back to Edinburgh, London - in the central parts of the cities the families have somehow adjusted themselves to living in congested quarters, small quarters, in multi-unit housing cases of various sorts and types. But this is a transition that has not been made in Brooklyn, in this whole large area of Brooklyn, and the first fear that is expressed by the people in Bedford-Stuyvesant, when approached with any change, is - "Does it mean we have to live in apartments?"

Now, in the Bedford-Stuyvesant Neighborhood Council Planning Committee, we have tried to work out what will happen if all of

Bedford Stuyvesant is rebuilt R-6, as it is now mapped, and we still are confused. We have the assurance of a member of your staff that it is impossible to build the kind of housing most of us like if these houses we now live in have to be rebuilt. But we think it highly improbable that that kind of housing will ever be built again in the City. Now, it isn't as if these houses are used in their original way. Ours happens to be - it's been there for more than a hundred years and there's no reason we can foresee why it shouldn't be there for another hundred years. It's a single-family house. But many of the single-family houses are not suitable for modern use as single-family houses and they have been converted. Still, it's a house. The owners live there. They may have converted it into more apartments, maybe the top part, maybe a couple of rooms rented but he still has control of his own destiny to the extent that he can have in New York City. It is this way of life that threatens to change; that has confused us in our thinking.

Now, we do not want to appear as recommending at this moment any changes but we have a feeling that within this large Bedford Stuyvesant area, with careful study, it can be found that a different zoning within small areas within that boundary might be more advantageous and promises better the kind of living that we are hoping for to persist there. Again, it depends upon how fast this transition is going to take place, whether it has to take place inevitably, whether all Brooklyn has to be built up with a different kind of living than we have now. I think what we are going to do is ask that some of your staff or the Commission meet with maybe five or six of us from the Planning Committee of the Bedford-

Stuyvesant Neighborhood Council and go over this very carefully and maybe you can clear us up on whether we are thinking straight or not.

CHAIRMAN FELT: Would you try to have some specific proposals?

MISS LEIGH: Yes, what we are trying to do is to pick out places that have persisted in this type of living in an extremely satisfactory way for, to our knowledge, some seventy-five years, and possibly arrange a zoning which will assure this kind of living for a little longer.

CHAIRMAN FELT: Thank you. Mr. Allen A. Blaustein?

ALLEN A. BLAUSTEIN: Gentlemen, the name is Allen A. Blaustein, architect, zoning chairman for the Flatbush Chamber of Commerce, South Brooklyn Board of Trade, Fifth Avenue Merchants Association and consultant to the Kings Highway Board of Trade.

About ten months ago on May 19, 1959, during the informal zoning hearings at Brooklyn Borough Hall before your Commission, appearing as spokesman for numerous organizations, I stated in part that the Voorhees Walker Smith and Smith proposal in which this amendment in question is an exact copy except for the different symbols and minor construction amendments incorporated in an amendment before us for consideration. During this interim, I became more convinced that your new zoning amendment cannot ever be made applicable in its present form, needing thousands of corrections, to a present solidly built-up city like New York. I stated then and repeat now again: that the VWS&S proposal was a fine compilation prepared by distinguished firm of architects, which proposal could be adopted as an excellent example of zoning which could be also adopted and made applicable for an entire new town, village or city, which has vast  
Blaustein

new acreage of land for developments where all the plots on sites are first sized to coincide with applicable zoning provisions it will be governed by. Since the above zoning proposal and that proposed by your Commission in question does not meet the test nor coincide with the area, bulk of the present built-up properties throughout the City, I recommended then and also now that this zoning proposal before us for study be discarded. I recommend further that the progressive off-street parking and loading amendments with an accompanying amendment lowering the permitted high-story structures in midtown, downtown Manhattan and Borough Hall, new civic Brooklyn sections, be submitted to allow more sunlight between buildings and to also alleviate acute off-street parking shortages. I am pleased to note that three months ago, the Metropolitan Association of Real Estate Boards and others, only recently the Architects Council of New York City, have voiced their opposition to the passage of zoning in question. In accordance with these views expressed by me last year, one can no more make New York City's zoning applicable to Boston, St. Louis, Chicago or any other City. So, by the same token, it would be an act of folly and unworkable to apply the Chicago zoning ordinance to supersede and replace the present sound and realistic New York City Zoning Resolution. I recommend further, and we had an example last Tuesday of people coming from Woodhaven where the property is zoned for "R-1" which is exclusive to one-family residences. We have thousands in Flatbush, and under the proposal it was zoned for apartment house sites. I also recommend most emphatically that we retain all one and two-family areas and restrict these areas to apartment buildings throughout the City. This is vitally important.

Getting down to the scores of objectionable features contained in the proposal before us for study on the Brooklyn maps and its necessary text, accessory text, I find that it is unrealistic to require mandatory 15-foot front yard setbacks with 30 foot rear, two separate side yards, with 8-foot minimum in R-1 and R-4, and very low-storied one and two family dwellings requiring wide 38 to 40 foot wide lots, such as in the suburban Flatbush and Midwood sections. There are no quarrels with the requirements of two side yards where lots are wide enough. No problem here. What the Planning Commission and the makers of this proposal fail to realize is the fact that the four boroughs outside Manhattan have been mapped for present small lots from 14 foot wide to 20 foot wide with the exception of buildings erected, some solidly on blocks with party walls, 3, 3½, 4, 4½, stories high in such areas as South Brooklyn, Park Slope, Central Brooklyn, Flatbush, Kings Highway, Bay Ridge, Midwood and similar urbanly built-up areas. Thousands of such lots are only 75, 80, 85, 90 feet deep. What will happen to these thousands of small lots if the proposed mandatory two side yards with setbacks at front required if the new unsound zoning amendment becomes a law? Prospect Park Slope property now zoned for B Zone permits 65% lot coverage with building bulk up to a height of one and a half times the width of the street it faces, permitting a building height of about 8 to 9 story buildings on the side 60 foot wide streets. Although most of the area is now built up with residences no higher than four stories with a score of higher buildings facing Prospect Park directly. The proposed floor area ratio of only 2.4 for this proposed R-6 area is too low. It should be raised to floor area ratio of 4.4, as the Chicago ordinance

allows for general residence districts. So as to retain the general present status quo of present building bulk, and I'm glad we have Mr. Waxman present here -- he built up practically a certain portion of Brooklyn and he built up Caton Avenue and Fort Hamilton Parkway - he understands the subject in question. So as to retain the present status quo of present building bulk should a builder desire to combine two or three 20 or 25 foot lots and rebuild them with a new structure. By the same token most lots adjacent to Greenwood, South 16th to 20th Street, and east of Fifth Avenue adjacent to the newly completed Prospect Expressway are now zoned for "C" Zone, having lots 15 to 22 foot widths, some lots recently improved with newly erected party walls, brick, two-family dwellings, both sides of 17th Street between 10th and 11th Avenues; and the north side of Prospect Avenue east of 10th Avenue was recently improved with five new two-family dwellings. Under the proposed zoning, this area in question is rezoned for R-5, which will require 10-foot front setbacks with two side yards, total 13-foot width, minimum 5 foot for one. This will be unworkable in this area since there are no present wide lots to permit two side yards on each lot. I recommend that this area in question be amended from a proposed R-5 to a proposed R-6. It is now ripe for small apartment buildings where no side yards are required under R-6 to R-10. To encourage building construction in this and other similar high-valued land unsuited for one and two-family dwellings or expensive ones. It does not make sense to require setbacks of low two and three-story buildings on wide streets and not require setbacks on similar high story apartment buildings in R-5 to R-10 areas. Symbols for C-2-1 and C-2-3 show only one dot running midway between diagonal lines alongside the symbols. Map 16-D and others show two dots.

The west side of Prospect Park West between Lincoln Place and 17th Street, 7th Avenue, west side, between Prospect Avenue and 17th Street shows two dots, also. This confuses architects like myself who must design these structures. With the two dots as symbols of C2-5, double dots for symbols C2-3, should be amended to only one dot. C1-3, C1-4, C2-3, C2-4 on all maps lacking clarity should have every other lot line made double thickness in all maps as shown in symbols at the bottom of each page to avoid confusion.

All strip depths of all streets on all maps should be marked with exact dimensions as it is done in the Chicago maps so as to avoid confusion. Its width and depth except the standard 100-foot distance in blowing up the V W S & S maps, the largest sizes now shown before us for study by cutting the smaller maps into separate and large ones, thousands of street names were omitted and must be now inserted for street names missing on each of the 135 proposed New York City zoning maps. Perusing Map 16-D, Page 167, as an example, I have found 65 missing street names. Map 17-D, Page 169, shows 40 street names omitted. Map 22-A, Flatbush area, has 43 streets not named while 22-B, Page 199, Midwood to Kings Highway, 57 street omissions, making a total of 205 street names omissions in four maps only, an average of 50 street names missing on each map, making a grand total of 6750 street name omissions in all the 135 proposed New York City maps under consideration, not counting the thousands of other mistakes such as proposed maps allowing street intersections, showing street intersections like East 22nd Street bisecting Dorchester Road and Flatbush Avenue, which is an error, as submitted for correction by this writer on blueprints to Commissioner Felt ten months ago. Map 22, Page 190 and the reverse

shows dotted streets for Jackson Place and Webster Place between 16th Street and Prospect Avenue; between 6th and 7th Avenue, Map 16-D, Page 167, these are solid streets with adjacent old buildings erected over 65 years ago. Map must be corrected. Map 16-B, Page 167 shows proposed 15th Street between 7th and 8th Avenue to be mapped for residential zone. On the north side is the 14th Regiment Armory, while the south side is now zoned for Unrestricted, recently changed to manufacturing zone to 1956, containing garages and factories. This should properly be rezoned C8-2 as accessory for the regiment motor vehicles. The same applies to the east side of 7th Avenue between 19th and 20th Streets - recently completed large block-front gas station. Since the properties facing Prospect Park West are more expensive than those facing narrow and average 60-foot wide streets, I recommend that the west side and this is important of Prospect Park West, 150 foot depth strip be extended south from Garfield Place to 15th Street. Extending further south easterly on the south side of Prospect Park Southwest with same 150 foot depth strip opposite to Prospect Park to include Park Circle on the northwesterly corner, which is now improved with a gasoline station. About four years ago, effective May 10, 1956, under CP-12269, your Commission in changing the zoning of Prospect Park West from 11th Street to Greenwood Avenue and from 7th Street to Windsor Terrace to Park Circle and Caton Avenue, rezoned the uses to be permitted in area in question, particularly the Bohack shopping center site with its accessory off-street parking lot, making a width of 275 feet on the market plot in question, westerly from 11th Avenue leaving the remaining westerly portion of the block as residential to within 100 feet easterly of 10th Avenue,

where five new 2-story dwellings costing \$30,000 each were recently completed and sold. Your proposed map substituting a commercial C-1-1 designation - request that this be changed back to Residential R-5. Your proposed map for the north side of Prospect Avenue between 11th Avenue and Terrace Place is also wrongly designated for R-5. This entire front block opposite a large Pilgrim laundry is improved with public garages and gas stations necessary for the use and welfare of its local community and should be changed to C8-2; similarly at Prospect Park West corner of 14th Street originally a Bohack Food Store before 1916 rebuilt as a new fireproof theatre necessary for the adjacent community should be changed to a zone permitting the theatre to be zoned as a matter of right. While the Pilgrim Laundry on the south side of Prospect Avenue, 11th Avenue to Terrace Place, is zoned C1-3 employing hundreds of adjacent men and women. The same zoning should be allocated to the large Cascade Laundry north side of Prospect Avenue between Prospect Park West and 8th Avenue, which also employs a similar number of adjacent residents. And by the same token this Cascade large laundry spot, with its accessory parking and loading of off-street adjacent property by changing the residential zone of this area to C1-3, also.

I am working on further amendments and it will take me, Mr. Chairman and members of the Commission, about two months to get it down into a large map. When that is finished, I will be only too glad to see you and Mr. Jack Smith and go over most of these matters so that when this zoning resolution, if it is approved with all the necessary amendments, will be a credit to your Commission and not a discredit. Thank you.

Blaustein

CHAIRMAN FELT: I would like to ask one thing of you, Mr. Blaustein, and that is this: to wait two months to put this on a map will be too long. As you have these changes, if you put them on any sheet of paper, send them to us as you get them because, otherwise, we may find that we may have your information during a period when it may be difficult for us to properly digest it and get the benefit of your good advice.

MR. BLAUSTEIN: I will. Thank you, sir.

IRWIN ROSENBLUM : My name is Irwin Rosenblum. I am President of the Parents Committee for a High School in Southeastern Brooklyn and I've also been asked to speak in behalf of the Presidents of three of the Parents Associations in Canarsie; that is Junior High 211 and the Elementary Schools 272 and 279. The Presidents were unable to attend and asked me to speak for them in a similar vein. The area of Brooklyn from which I come is one, to a very great extent today, of new residences. Many of us can be characterized as people who deliberately chose not to run away from New York City. Many of our friends have gone out to Long Island, to Westchester and New Jersey. We have grown up in the City; we want to stay here and we made the choice of moving to an area like Canarsie and there are other areas similar in nature around us to the east and west.

We like the advantages of living in a large City and yet we want to raise our children in a pleasant residential community with good community facilities. This is why I address myself to this master zoning resolution. We regard this as an example of proper city planning that is necessary to prevent New York from strangling itself, from chasing out all the middle-income families, from becoming an unpleasant place in which to try to raise a family.

Rosenblum

We approve of the master resolution without going into the details of the zoning maps. We believe that any move to restrict encroachment of an undesirable character on choice residential areas is one that should be supported and we applaud the City Planning Commission and Chairman Felt, in particular, for having pushed as hard as they have for this fine example of long-term overall planning for our City. At the same time, we have to point out that we believe that the City Planning Commission has been derelict on the same matter of planning ahead for our communities and we have had some sore points directly related to this. Many of us moved into the community with the understanding that large sections of the community would be devoted to one-family homes, particularly. This, by the way, is not only true in the Canarsie area but you have had the same problem at Mill Basin and, I'm sure, in other places, too. The builders, for reasons which might have had some validity, but not entirely, and some of us raised the question with Commissioner Bloustein when he spoke in Canarsie, have in almost every case succeeded in obtaining variances to enable them to build two-family row houses block after block after block. There's been no recourse by those who have already purchased homes.

Now, it is not that we want to exclude new people from our delightful community but what we object to is the fact that you have allowed by these zoning variances approximately doubling of the population density in this same area. And when we asked Commissioner Bloustein, "Well, why doesn't the City Planning Commission take into account the increased community needs when you allow so many people to be brought in in such a short time?" Particularly, we were concerned with schools. And he said, "Well, sooner or later, when you have enough people living there and the need has been demonstrated,

you will get the new schools". But it has been left up to us to fight for these schools and it's a perpetual battle, as though we were on a treadmill many times, moving backward. Now, that to me is not an example of responsibility by a city agency that's supposed to be in charge of planning for the City. And, particularly, are we disappointed that in view of the changes in zoning, to permit the greater population density when we have convinced the Board of Education that certain new school projects are essential. And in their proposed budget they put them in. Then we found that your agency, having allowed the new housing construction to go in, then made the cuts in the Board of Education budget. I can cite chapter and verse; for example, the project in which I have been most deeply concerned - the new high school for southeastern Brooklyn. When it got before your agency, you lepped a million dollars off the proposed project and reduced the capacity of the school.

Well, I had hoped that we will be able to convince you not to oppose a full-size school. This would be a horrible example of planning for such a community. When the Board of Education put the proposed wing on Elementary School 242 - we have in our part of Canarsie about a thousand overload right now in the elementary school level - it's growing by leaps and bounds, and the Board of Education took one step forward and put that in the budget. You people cut it out and we had to come back here and fight you in large numbers of people just to get it put back in again. Or when the Borough President of Brooklyn, Mr. Cashmore, proposed to the Board of Estimate that a wing be put on Elementary School 272, within 24 hours your agency disapproved it and cited figures which we regard as being fallacious, and that matter has been dropped.

Rosenblum

Our children are the ones who are suffering. We, finally, as a result of our appeals to you at the last Capital Budget hearings here, got a hearing with your staff. They listened to all the facts and figures. They were duly impressed and then they turned around and failed to act on it. Particularly, on the Junior High level, where there is a terrible need for another one in Canarsie and they have been fighting the Board of Education now and putting the new Junior High 78 into Canarsie. These are several examples of what's been happening when these matters of extremely urgent community facilities come before your Commission which is charged with the responsibility for city planning.

The builders have been allowed to come in, fill up block after block of these homes. No provision is made for recreational facilities, for cultural facilities in the community. The result is you have developing a bedroom area with nothing else involved. There are no swimming facilities. The only park facilities we are getting are those that are in the playgrounds attached to the schools. There is a vast park area set aside. We've been promised year after year that something is going to be done about it - along the shore. We don't see the steps being taken yet. This is not fair and proper for people who have fought against the exodus from New York City.

CHAIRMAN FELT: Mr. Rosenblum, as I understand it, and I think I have absorbed what you said - in the first instance, you say you favor this proposed resolution; and secondly, you make references to inadequacies relating to the Commission insofar as permitting in the past the utilization of land to a point where adequate school facilities were required and where we, in the Planning Commission, were reluctant or did not move forward in making those facilities available.

We are pleased, of course, that you are in favor of the resolution, but I would like to address myself just for a moment on the second point which relates to our Capital Budget problems; and that is, that we are confronted each year with school facilities required in all of the five boroughs and then we are given an amount of money which we may allocate in connection with all needs of the City. You will recall that at the last hearing there was discussion relating to the \$500,000,000 bond issue. You may not realize that people from the Bronx, people from Queens, people from Manhattan and Staten Island come to us with the same urgency in their plea that you present and your people have presented to us. Ours is not an agency that is saddled with the responsibility and an agency having the right to allocate to the various functions of the city and in the various locations what we believe is necessary. What we do is to have an amount of money made available for us and then to spread that money around on as equitable a basis as we can, and to try and accomplish as much as we can with the limited funds.

I am extending my remarks but I think I should under these circumstances. Almost every year we find realistic needs that aggregate two to three times the amount of money that we have available. I say that because if we do not give you what you request, it is not necessarily because we regard the request as unjustifiable but there are a limited number of slices that can be cut from a given loaf.

COMMISSIONER ORTON: I might add a footnote to that. Mr. Rosenblum doubtless understands that, as far as the limitation of funds are concerned, but he points out that there should be a relationship between the permitted bulk and schools.

Felt / Orton

MR. ROSENBLUM: That's exactly the point, Commissioner.

COMMISSIONER ORTON: I think it is a very important point - that the bulk permissible under zoning should have a relationship to what can be provided in the way of other facilities.

CHAIRMAN FELT: We agree with you on that, and that is the purpose of the proposed resolution.

MR. ROSENBLUM: We criticize you for having failed to carry through that principle in the very recent past. We appreciate fully, Commissioner,....

CHAIRMAN FELT: You realize our limitations,

MR. ROSENBLUM: We know that, and we fought for the bond issue in our community. Having failed in that, and recognizing that the schools could not be built in time -- your agency has known this for years - if the community facilities can't be built fast enough, then hold back the bulk. Otherwise, we who move in face very, very serious problems for our children. The time they lose in school, for these years, they will never recover. This kind of attitude which, in some cases, seems to border almost on callousness. I've heard a man on your staff say, "Well, your kid will have to suffer through it for several years and by that time you will get new schools if you fight hard enough or the peak will have dropped off and it won't be so bad." But that kind of attitude will only chase our people out of New York City, and that's what we want to avoid.

CHAIRMAN FELT: I can assure you that that is not - and I think that from whatever discussions you've had with the members of the Planning Commission - you know that that is not our attitude.

MR. ROSENBLUM: Well, I don't want to name the man but it was his attitude and we sensed this in part: you can't do it,

you don't have the money. The people will just have to suffer through it for awhile. It isn't fair to our children. We feel that if you cannot do one alternative, do the other when you have the opportunity. The builders ask for the variances and you granted them, knowing as you had to know, that you couldn't provide the facilities to match. There's got to be a corollation.

CHAIRMAN FELT: We shall be mindful of your feelings and your statements, Mr. Rosenblum. Thank you very much. Is Mr. Holland present?

MITCHELL SIEGEL : My name is Mitchell Siegel. I am appearing for Mr. Holland and Simon Holland & Son, Inc., steel fabricators. I address myself to two pieces of property which the Holland family and their business occupy - one at 825 Stone Avenue and one at 1500 Linden Boulevard. In January of this year, we submitted a detailed letter setting forth the grievances and giving you a detailed map showing the areas involved. With respect to the 825 Stone Avenue site, that's on the south side of Lott Avenue, between Stone and Christopher. That property has been occupied for many, many years and has been built up to its capacity. Originally, a portion of this was Unrestricted and a portion was Business.

Subsequently, I think it was about 1954, your Board changed the whole 40,000 square feet to Unrestricted, which it is today. Now, we have improved that property to the extent possible with a steel fabricating plant and offices, installed heavy industrial equipment for punching and other fabricating services, and we reached the maximum there. In order to provide for future expansion, we then proceeded to develop the site on Linden Boulevard abutting the Long Island Railroad; and over a period of years we acquired quite

some property there from the Long Island Railroad and other owners.

In 1951, your Board rezoned the hundred feet from Linden Boulevard south to the railroad tracks, or a portion of them, as Unrestricted. On the basis of that, we proceeded to expand our plant and acquired property and constructed buildings there which are modern buildings for our services. We have no smoke, no undue noise, no offensive odors. It's purely a steel fabricating plant. We have planned our complete expansion based upon the fact that the Lott Avenue or Stone Avenue site could be built up no further and all our future development would have to take place on Linden Boulevard. Where we have the Long Island running right through our plant, we have our shipping facilities and our receiving facilities. Of course, we ship fabricated steel to all sections of the country and, in some cases, foreign parts.

Now, we have planned and projected this program for a great, great many years. We've been in business for over fifty years now. We have to have both plants near each other so that we can facilitate our operations. And to stay in this competitive business, as many of the builders here now, we can't uproot ourselves ten, fifteen, twenty-five, or fifty years from now. We are now the third generation. We have land under contract now that cannot be exercised until 1967. We have other land, as you can see by our memorandum and our map, which we have already entered into contracts for and paid part of the purchase price but since the occupants desire further use thereof we can't take possession of that until 1967. So all our planning has been for the future. It will be impossible for us to move this plant or to do anything but go out of business after 25 years if you do not change the proposed zoning back to M-3.

We have gone along with your Commission on the industrial park which abuts us right in the rear of the railroad. We think our plants--our buildings, the type of operation we have, is in full conformity with this industrial park. They are modern buildings of glass and steel and brick and, if you gentlemen haven't visited the plants, we think you should to see just how we conform with the area.

Gentlemen, we urge you again to read the report we submitted to you. It's detailed, we believe. It will work an undue hardship if you change this area.

VICE CHAIRMAN BLOUSTEIN: Do you do all your fabricating here?

MR. SIEGEL: We do all our fabricating here between the two plants.

VICE CHAIRMAN BLOUSTEIN: And you cannot do it in M-1?

MR. SIEGEL: We can't do it in M-1.

CHAIRMAN FELT: I can assure you that we shall give full consideration to your statement and your report, and we will review the matter.

MR. SIEGEL: Well, we ask more than full consideration. We ask for the change, Commissioner.

CHAIRMAN FELT: We understand what you have in mind. Mr. Waxman?

HARRY WAXMAN : As the old saying goes, Mr. Chairman, I'm back again. I've heard a lot of remarks made about the City Planning Commission - that they don't do this and they don't do that and they don't give enough schools, and all that. But I don't think it's fair. As one of the biggest builders in Brooklyn, I think you've done the best job that anybody could do. For instance, Seaview Village,

which was a swamp area four years ago - there are a couple of high schools and a public school there now.

CHAIRMAN FELT: Well, I think you've had a little bit to do with that area too, Mr. Waxman.

MR. WAXMAN: I know I did, and that's why I'm here.

CHAIRMAN FELT: We're happy that you did.

MR. WAXMAN: Thank you, sir. The only thing that I object to, Mr. Chairman, is the way this group, or this group of architects who went out and started this about two or two and a half years ago...is that about right - when they started to set this new comprehensive plan up?

CHAIRMAN FELT: They started in the spring of 1956. They submitted their plan to us in February, 1959. We have reviewed the plan from February, 1959, and on December 21, 1959, we presented the resolution to you. From that time on we have been reviewing the resolution with hundreds of interested parties and groups. We are now holding the public hearings so that we could get the views of the community and know just what other changes are advisable. We are welcoming the constructive criticism of everyone at these hearings, and after the hearings we will still be working for a considerable time - when I say a considerable time - probably about two months in endeavoring to perfect the zoning resolution based on everything that we see and hear.

MR. WAXMAN: Mr. Chairman, I don't think you are going to be able to accomplish anything in two months. I've been up to

City Planning. You have very, very competent men up there that have been on the City Planning Commission for years and years. They know every inch of ground in Brooklyn, Queens and Staten Island.

All of a sudden, a strange outfit - an architectural firm - who I don't believe knows anything about land values, comes in and draws up a comprehensive plan for you gentlemen and they submit it to you. Now, Mr. Siegel was up here a little while ago. He's got to plead for you to keep his client's industry in Brooklyn. Why did this group change it from one zone to another zone? I have the same thing on Rockaway Parkway and Avenue M. I've been here fighting and arguing for five years on that shopping center site. It was Local Retail. Then you obliged us and you gave us, after arguing and fighting and spending a lot of money, you gave us a Local Business. Now, all of a sudden this group goes out - the geniuses - they lopped off 14 feet and put it into Local Retail. What's going on here? You gentlemen knew what you did three or four years ago. You did the right thing and now, all of a sudden, a group comes in and they change this and they change that. How many times have I been here on Seaview Village?

CHAIRMAN FELT: You've been here many times and you've spoken just as you are speaking today.

MR. WAXMAN: Just let me get it off my chest because I don't think it's fair. From an F-1 Zone; from a D into an F-1; from an F-1 back to an F; from an F back to D-1 -- I think you've got the correct zoning in Seaview Village - which gives a chance

to the people who want to buy three different types of houses there. It's not overcrowded; there's nothing wrong; I've been complimented by the Federal Housing Administration and the Veterans Administration and a lot of organizations for doing what I did in Seaview Village.

CHAIRMAN FELT: Rather than generalities, what is there that you want specifically, Mr. Waxman?

MR. WAXMAN: Specifically, from F-3 to F-4.

CHAIRMAN FELT: In other words, we designated Seaview Village in what manner?

MR. WAXMAN: Oh, excuse me, it's R-3. I said F-3. I say we have a wonderful zoning there. Why don't you leave it alone?

CHAIRMAN FELT: Just a moment, please. At the present time, there isn't any R-3 under the present zoning plan.

MR. WAXMAN: Whatever it is. I didn't want to read it. It's D-1 right now. (information supplied by Mr. Ashworth)

CHAIRMAN FELT: If it were R-4, you would be perfectly happy? In other words, everything that you've said up to this point relates to that change from R-3 to R-4 that you think we should make?

MR. WAXMAN: That's right. Now, two or three years ago, Mr. Chairman, the people that went out to redesignate all this different kinds of zoning - they didn't know that you were going to set a big plot aside for an industrial center.

CHAIRMAN FELT: Which industrial park? Do you mean the Flatlands Industrial Park?

MR. WAXMAN: That's right - the Flatlands Industrial Park. Now, they didn't know that was coming in. They also didn't know that the state has just taken an awful big piece of land adjacent to that for something that isn't the best thing in the whole world. I don't want to mention anything about it.

CHAIRMAN FELT: Mr. Waxman, insofar as the industrial park and what you say that the state has done that I know nothing about, how does that affect what you are bringing to us today?

MR. WAXMAN: The point is that the minute you change the zoning and you give me less area to work on, it cost the public thousands of dollars more when they purchase a little one or two-family house that they happen to be satisfied with.

CHAIRMAN FELT: In other words, this still applies to your request to change an R-3 to an R-4?

MR. WAXMAN: Of the whole area of Brooklyn, not only mine. All right, I'll specify mine.

CHAIRMAN FELT: Because some people want R-6, 7, 8 or 9 in sections of Brooklyn.

MR. WAXMAN: Well, I think you ought to leave it to the people in the neighborhood to say what they want in their neighborhood instead of sending somebody out who doesn't know what it's all about.

CHAIRMAN FELT: That's why we have these hearings, and I want you to know that the members of the Commission have gone over all of these maps. We are doing it again. We are traveling through

these areas right along except on hearing days. I don't want you to assume that we intend to buy a pig in a poke, just take something that's submitted to us. I think you know how we've reviewed situations that have come before us in matters in which you were involved before.

MR. WAXMAN: Is it going to continue that way? Will we have the right after this resolution - I have a feeling it's going to ooze right through and that's what I don't like. Will we be able to come back and go before you gentlemen and prove to you that you have been wrong in certain cases?

CHAIRMAN FELT: You will be able to do this as you have before. You will be able to go to the Board of Estimate after we take our proposed zoning resolution and make whatever changes we think are appropriate and then submit that to the Board of Estimate. We won't submit what we have here. We will submit what we have here with changes that we make. Then you will have your opportunity ...

MR. WAXMAN: Have we got the opportunity now to present our feelings towards certain changes?

CHAIRMAN FELT: That is the purpose of this hearing, sir. That is what you are doing. You are saying that you want R-4 instead of R-3. That's why you are here.

MR. WAXMAN: I know, but if it was done in a better manner I wouldn't have been here today. I think that in City Planning - the men in that Board know more about zoning than the group you sent out to start this thing.

CHAIRMAN FELT: But after all, Mr. Waxman, what will be submitted by the group of Commissioners sitting around the table here - the seven of us - and I think you hold us in high regard...

MR. WAXMAN: I do. I'll stand by you fellows anytime. I think you are going to be reasonable with any request that's made. Some of the things I've heard - I just want to say this: I went up to your City Planning Board - you have a very nice gentleman up there by the name of Friedman - I think he's Mr. Smith's assistant.

CHAIRMAN FELT: He's a member of our staff.

MR. WAXMAN: He's a member of your staff. And I just showed him a couple of locations. He was flabbergasted - that the City Planning did not know what had happened in the last two and a half years after this thing was started. For instance, I bought three thousand lots in Rosedale, a beautiful community. The Catholic Diocese just bought two blocks for a great, big beautiful school. You've got it down as a manufacturing site. It's ridiculous. I never heard of anything like that. I go out and spend five million dollars for a piece of land where they are building in the last two years - about 40 builders are in there - and now they got that down in your comprehensive map as an industrial site. Do we have to come in here and fight these things? Why weren't these things pulled out before?

CHAIRMAN FELT: Mr. Waxman, may I say a word, please? I am glad that you hold us in high regard. I am glad that you feel that before we will submit anything to the Board of Estimate - and

the men on the Commission sign their names to it - that you will feel more at ease because you feel that will be their recommendations. Insofar as the member of the staff that you alluded to, I want you to know that we hold him in high regard...

MR. WAXMAN: He's a wonderful guy. I said he was a very nice fellow but he didn't realize what was happening in these particular zonings where the changes came in.

CHAIRMAN FELT: Well, between our whole group, we think we probably will, in sufficient time before submitting this to the Board of Estimate, have a complete realization of whatever those are. And if we don't, there are some very alert people on the Board of Estimate, together with their assistants and members of their staff, who will soon realize where there are errors if there are errors. Thank you very much. Is Mrs. Harriet Verder present? Mrs. Ida Sussman? Mrs. Millie Morrinstein? Harry Biederman? Will you step forward, Mr. Biederman, please? Mr. Biederman, there was a short statement which I read at the start of this meeting and I would like to read it again because it affects a number of people here who have spoken to me from time to time, and I think it requires some clarification.

We have completed two days of hearings on the general text of the zoning resolution. The testimony you've heard at these hearings, both in quantity and quality, has given us assurance that New Yorkers have a growing understanding and interest in achieving modern zoning for the City. Today's hearing is the second of five

sessions devoted to the mapping of each of the boroughs. These meetings do not merely involve praise or criticism of the ordinance but are in effect workshop sessions in which the public comes before this body to offer specific mapping recommendations and suggestions which will help us to prepare the best resolution possible.

Many have told me that they would like to suggest map changes but they didn't want to do it because it might imply basic dissatisfaction with the Commission's proposal. I don't want anyone to feel that we regard the request for mapping changes as opposition to a modern zoning ordinance. We understand that many of you support the general principles of the proposed resolution but have specific questions regarding your property or your district. We welcome these questions and shall endeavor to resolve them equitably.

I have another paragraph but I don't want to take the time to read it. I would like those who have come here after I had read the statement at the opening to realize the attitude and the philosophy and the spirit of these hearings. Mr. Biederman?

HARRY BIEDERMAN : Mr. Chairman, my name is Harry Biederman. I happen to be President of Rayno Corporation and Rayno Distributors, Incorporated, in Brooklyn. We are the owners of improved property in Brooklyn, located on the west side of Alabama Avenue some 100 feet north of Flatlands Avenue, Section 14, Block 4409, Lot 20, Code 7, consisting of a 6000 square foot industrial building on a plot of some 20,000 square feet approximately 100 by 200 feet.

The proposed changes in zoning recommended by the City Planning Commission - from Manufacturing and Business zoning to Residential - R-3 - for this particular section would be detrimental to all concerned, including the borough, itself. A major portion of this particular section scheduled for changes in zoning consists of desolate, unfilled ground. Our portion has been improved with additional industrial facilities. Further expansion of facilities could be expected within ten years requiring additional property at this location. The area specified for this proposed change is not suitable for conversion to R-3 zoning, that is, for one and two-family homes, because the surrounding adjacent area to a large extent is occupied by manufacturing and industrial plants, the nature of which does not give aesthetic appearance for possible residences nor are any shopping centers or space for shopping facilities available in this particular section.

Areas adjacent to the north of the section after Wortman Avenue is a manufacturing zone and presently unimproved. The change in zoning could be made to apply to this area rather than what is presently recommended. The change in zoning as proposed would result in considerable depreciation of property values. We trust the above will have your most careful consideration.

CHAIRMAN FELT: Thank you. Is Mr. Lebow present?

MATTHEW BLACK: Mr. Lebow had to leave for an appointment.

MR. BLACK: I am Matthew Black, representing the Greenfield Civic Association of Midwood. The Greenfield Civic Association, which embraces a civic area of some 600 one and two-family houses, wishes to go on record here in approval of the plan of the City Planning Commission for rezoning of the City of New York. We would like, however, to call your attention to a letter and a meeting we had with representatives of your Commission at your Lafayette Street offices last July. Certain changes were then suggested. Some action was taken on some and some are still pending. We would like the way left open for a future meeting with members of your Commission to further discuss these matters. Thank you very much.

CHAIRMAN FELT: In connection with that, Mr. Black, will you have specific recommendations to make to us when you meet with us?

MR. BLACK: You have on file now the letter which contains our requests.

CHAIRMAN FELT: Very well. Mr. Friedman, will you step down and arrange a time when we might be able to meet with this group. Is Mr. Milton Miller present?

MILTON MILLER: Mr. Chairman, members of the Commission, ladies and gentlemen: my name is Milton P. Miller and I represent the owner of property on Page 17-D, Flatlands Avenue between Louisiana and Miller. This is a stretch of property of about ten block fronts from Louisiana to Miller. This property contains approximately a thousand lots. Presently, the property is zoned Manufacturing on Flatlands Avenue from Malta Street to New Jersey

Avenue and the rest of it is residential. The proposal as it is in the map is for an R-3 Zone for the entire area. Now, the entire northerly abutting property has been placed in an M-1 Zone. The entire westerly boundary is in an M-3 Zone, which covers the City's sewage treatment plant on the west. On the south we have a large landfill operation by The City of New York.

Now, there is very heavy truck traffic on Flatlands Avenue and Pennsylvania Avenue going to the landfill and sewage treatment plant in addition to the industrial area on the north. We have several improvements on this property which have been there for many years with legal certificates. There are several auto-wrecking plants, building material yards, gas stations, drive-in restaurants, golf driving range and other amusement areas. These have been there for many years when the area was entirely undeveloped and no other use could possibly be placed there. Now, at this time, I feel that the zoning should not protect all of these uses. I am willing to be reasonable about a change of zone. However, I feel that the proposed zone of R-3 is completely unrealistic and improper. We have a sewage treatment plant. I believe Mr. Waxman was speaking about the new school for the mentally retarded, also on the east side. We have an industrial area for the entire northerly boundary. We have a commercial use on the westerly boundary. Mr. Waxman has erected a tremendous bowling alley there, which is certainly going to be there for the minimum of 25 years.

Now, we have looked into the question of using our area for middle-income housing. However, it is impossible to develop it with that use unless this zone is changed to at least an R-6, so that we can get sufficient coverage to pay for the cost of this improvement and to maintain the rents in the \$25 bracket, which is required for middle-income housing. I also feel that certain parts of this property should have a commercial zone, particularly the corner of Pennsylvania and Flatlands. At this time, I'd like to state that if it's possible I would like to meet with the Commission and present what I feel would be a fair change in this area.

CHAIRMAN FELT: Thank you. Mr. Friedman will arrange a time with you when we might be able to meet. Now, there are a few people whom I called earlier who weren't present. William Rokaw? John Salenski? Mrs. Grace Liotta?

GRACE LIOTTA: Mr. Chairman, my name is Grace Liotta, representing the Greenpoint Civic Council. On behalf of the residents of Greenpoint I wish to thank you, Chairman Felt and your honorable Commission for your generous judgement in rezoning Greenpoint. We wish to express our gratitude for having undertaken this great task in order to correct the shortcomings and inequities of the present zoning law. I've had very sad experiences with the present one.

Geographically, Greenpoint is an ideal location for residence. With its fine bridges and transit facilities, people have

access within a few minutes to three boroughs and the neighboring state. Mr. Chairman, Greenpoint has low-income people. Therefore, we do not mind the factories. Greenpoint is a thriving community of hardworking people, predominantly of low-income level, but clean, proud and upright citizens.

We should like, above all, to retain our distinctive character of a small-structure community, the home atmosphere where women cherish to have their wash in the sun and the men till their back yards in the evening. However, Mr. Chairman, we are in need of more residential zoning than you have granted us. The Greenpoint Civic Council submitted to your honorable Commission ten areas to be rezoned "Residential". Of the ten, four received your favorable approval; the other six were overlooked. Two of the six, upon re-inspection, the Council agrees with your decision. We feel that they are really manufacturing areas and they should remain as such.

After all, we like to keep our industries in our community. But, for the other four areas we are here before you to ask for reconsideration. I shall discuss two of these areas, for which I beg your indulgence for a favorable decision.

One, from the north side of Dupont Street to the south side of Clay Street and from the west side of Manhattan Avenue to the east side of Franklin Street. This block should be rezoned "Residential". There are two schools on Dupont Street - P.S. 31 and a Catholic school with the Church. The Catholic school has been built recently. This shows the confidence of these parishioners

in the future of Greenpoint. I am sure, Mr. Chairman, you do not wish to destroy their confidence. On their behalf, therefore, I am urging you to rezone the area from "Manufacturing" to "Residential".

Number two, the second area is Clifford Place from the north side of Meserole Avenue to the south side of Calyer Street - it's a short block. At a conference with Mr. Friedman, I submitted photographs of the area, which is entirely residential with the exception of the northeast corner of Meserole Avenue and Clifford Place, which was a garage. Clifford Place is one of the nicest, clean, and well-kept residential blocks in Greenpoint and should be zoned "Residential" and not "Manufacturing". I don't know where you get the manufacturing aspect. Of course, we have nothing now. It's unrestricted. Commissioner, we must have a residential area there.

CHAIRMAN FELT: What you are saying, Miss Liotta, is that you are favoring the mapping and the resolution but you feel that the two additional sections -- in Greenpoint we agreed on four. Two sections that we thought should not be residential, you agreed that we were correct. You said six so that leaves four. Of those four, you feel that two should be reconsidered for residential.

MISS LIOTTA: Yes, Mr. Chairman. In the photographs I submitted, there is no question that the street is solidly residential.

CHAIRMAN FELT: We will review that. Have you any further remarks?

MISS LIOTTA: Yes, I do. Chairman Felt, I should like to ask you a favor: We have a beautiful park, McCarren Park, but it is not frequented by people. The whole circumference of the park is all factories, garages, dry-cleaners, shoe factories, that's about all. It reminds me that when Maximillian went to Mexico, he said, "Where are the people - they are all men." It's the same thing there - where are the people to frequent the park? We have expenses that taxpayers are undertaking but there's nobody to benefit. Now, I have a specific recommendation. There is one church bordering McCarren Park on Nassau Avenue between Driggs Avenue and Lorimer Street. Now, those should be houses for people to enjoy the trees, the air and all that, but we have factories. We are afraid to send the children there. We have people who are interested in developing that area but the present zoning does not permit it. They were deterred by the present zoning. Now, I'm quite sure, Mr. Chairman, that you can help us.

CHAIRMAN FELT: We have to judge with great care because, if you were here all morning, you would have heard that many people feel that residential districts as designated by us, should be manufacturing. You and others feel that lots of manufacturing districts designated, should be residential. It's difficult to please everyone but we shall be mindful of your requests and review them as carefully as we have your requests in the past.

Mrs. LIOTTA: Mr. Rokkaw will discuss the other two of the remaining four items for your consideration. He will be in this

afternoon; he has a store. Thank you very much, Mr. Chairman, for your kindness but please let me have Clifford Place in particular because it is solidly residential.

CHAIRMAN FELT: We will note that but I am sure you will be in touch with us before very long to follow up. Mr. Zeltner?

HENRY ZELTNER : Mr. Chairman, my name is Henry Zeltner. I am the President of the Manhattan Terrace Civic Association, Inc., and I want to say at the outset that I am going to confine myself strictly to the purpose of today's hearing. I expect to be very brief. When word first came out that this Commission was proposing the new zoning resolution, we needed the opportunity to study it very carefully because it struck a responsive chord in our hearts. As you probably know from the many times we have been before you in cases where rezoning was attempted on a piecemeal basis, we've always maintained that the character of a community, its density, and its peculiar characteristics were of utmost importance, and are matters that should receive first concern. When we studied your plan, we were quite satisfied that you agreed with us in principle because you have designated our area, with the exception of only one block, as an R-4. Now, in studying the R-4, we realized that that is in keeping with the present Zone E, or is comparable thereto. But we feel this way: that since we are in a community of approximately 300 private homes, each fully detached, each with a recessed lawn, extending back some twenty feet, each with only a few exceptions with a beautiful tree in the front, and we feel that

to designate the west side of East 17th Street as R-5, when the entire other area is R-4, would be a reflection upon the people who own their beautiful homes on the west side of East 17th Street between Avenue I and Avenue J.

CHAIRMAN FELT: Is that improved with homes at the present time?

MR. ZELTNER: As a matter of fact, it's a little embarrassing to the neighbors because the fellow living on East 17th Street has a beautiful home says to his neighbor across the street on the east side of the very same block between I and J, "We studied the map. You're in R-4, I'm in R-5. I don't know why your house is any better than mine. I don't know why they did this."

Our Association is a militant civic group. We studied the matter very carefully. We promised our neighbors and members -- in fact, 90% of the people who own homes in Manhattan Terrace are members of our Association, and they are dues-paying members. We are far from what people sometimes refer to as a "paper organization". I think if it weren't for the fact that we have such a fine civic association, you would never have been able to designate us as R-4 because it would never have maintained its fine residential character. This may sound familiar to you because I told you this on March 1st, when we had a hearing here, which I will not go into, because it is not the proper forum to discuss that. That's been discussed and only last Monday I submitted briefs which I trust you gentlemen will read. The entire community is awaiting your decision in that and we trust that we will be given the consideration that we think it deserves. But I would be remiss in my responsibility to my membership if I just didn't bring out this fact...

Zeltner

CHAIRMAN FELT: In other words, your criticism is that one single block appears to be zoned in an inconsistent manner with the rest of the area.

MR. ZELTNER: Because the homes are all of the same type and it's all a continuous area. It might be important at this point to emphasize that we have no apartment houses in that entire area. It's actually a square section running from Avenue I to Avenue K, from Ocean Avenue to East 16th Street and the Brighton Line. I think you are familiar with that because we have been before this Commission in recent years in connection with other matters - about rezoning applications. It appears that if the intent and purposes of your resolution are going to be carried out with sincerity, which we have no doubt, it will continue to maintain the high character of the area, and it will be in keeping with your Chairman's remarks a few weeks ago at Pratt Institute when he spoke about the need for improving conditions and pointed out the many thousands who have fled Brooklyn because of conditions that were subject to change from time to time.

If this proposed new resolution will bring about stability, will protect the homeowner who buys a house in a community and expects the protection of the zoning law at all times, then I think you will be fulfilling a very worthy purpose; and I think it may not be appreciated at this time but as years go on and as the thousands of people who are thinking of running out of New York remain here and others may come in, I think you will reap the just rewards of your very fine efforts. Thank you.

CHAIRMAN FELT: Thank you, Mr. Zeltner. Would you please fill out the form on the desk which indicates what the designation is and what you think it should be so that we will have that for the record.

ABRAHAM M. LINDENBAUM.

My name is Abraham M. Lindenbaum. I am an attorney, with offices at 16 Court Street, in the Borough of Brooklyn, City and State of New York.

I appear here today on behalf of the Associated Builders of Greater New York, Inc., an Association of builders who have constructed hundreds of millions of dollars worth of multi-family houses in the Metropolitan Area, especially in the Borough of Brooklyn.

At the hearing held on the general text last week, I appeared and stated the views of our Association. I do not wish to take up the time of this Commission in repeating the statements I made at that time. Suffice it to say, that the Organization opposes the resolution as now appears before you.

I also at that time gave a few illustrations as to the number of apartments permitted under the present Zoning Law in a given parcel, as against the Proposed Zoning Law, and would like to, at this time, furnish additional examples which are as follows:-

These premises are located at Snyder Avenue between Nostrand and Rogers Avenues in the Flatbush Section. This is an interior lot which is zoned C Height 1½ (proposed R-6).

Type of Building: Six (6) story apartment house. Size of Plot: 30,085 Square feet. The present zoning permits: Ground area: 18,050 square feet; floor area 108,300 square feet; 104 apartments containing 279 rooms exclusive of kitchens.

The proposed zoning will permit: Ground area: 10,530 square feet; floor area: 63,178 square feet; 56 apartments containing 168 rooms exclusive of kitchens. These premises are located at: Emmons Avenue between Brigham Street and Knapp Street, in the Sheepshead Bay Section. This is a block front lot which is zoned D height 1 (proposed R-5). Type of Building: Six (6) story apartment house. Size of Plot: 50,000 square feet. The present zoning permits: Ground area: 29,000 square feet; floor area: 144,000 square feet, 139 Apartments containing 370 rooms exclusive of kitchens. The proposed zoning will permit: Ground area: 10,625 square feet; floor area: 62,600 square feet; 54 apartments containing 162 rooms exclusive of kitchens. These premises are located at: Coney Island Avenue and Stratford Road in the Flatbush Section. This is a through lot which is zoned C, height  $1\frac{1}{4}$  (proposed R-6). Type of Building: Six (6) story apartment house. Size of Plot: 16,380 square feet. The present zoning permits: Ground area: 9,830 square feet; floor area: 59,000 square feet; 75 apartments containing 262 rooms exclusive of kitchens. The proposed zoning will permit: Ground area: 5,900 square feet; floor area: 35,400 square feet; 45 apartments containing 156 rooms exclusive of kitchens.

These premises are located at: Avenue Y and East 13th Street in the Sheepshead Bay Section. This is an "L" shaped lot, fronting two main streets. (proposed R-4, now D-1). Type of Building: Six (6) story apartment house. Size of Plot: 57,875 square feet. The present zoning permits: Ground area: 31,800 square feet; floor

area: 190,800 square feet; 242 apartments containing 848 rooms, exclusive of kitchens. The proposed zoning will permit: Ground area: 6,772 square feet; 60 apartments containing 210 rooms, exclusive of kitchens.

In citing these examples we show the average size of the rooms which could be economically rented, as against the size of the rooms suggested by this Commission, which we know, cannot be rented.

The cost of the land in each one of the above examples is so high for the number of apartments which would be permitted under the proposed resolution as to make it uneconomical for building, because of the amount of rent necessary to properly make it a profitable job, and therefore, construction would definitely cease.

We realize that there are changes necessary in zoning and feel that the Proposed Zoning Plan before us today has a number of innovations which can be profitably adopted in a revision of the present existing plan.

It is therefore, respectfully requested that this Commission oppose this resolution in its present form, but that an intensive study be made of this subject with interested parties, so that an amicable program can be arrived at.

There is only one statement I'd like to make and some of the newspapers and some of the speakers have discussed it: As to the opposition in no instance saying there are good features to this plan. There is no question, and I speak on behalf of this organization and many other organizations, that there are important features that have been presented, important innovations. One of the most important is the fact that we can use one map instead of the present three maps.

This is a terrifically important change, and I think that we should state our position in regard to that - that the whole construction industry and building industry and real estate industry appreciates the fact that they would only have to go to one map instead of three maps, as it presents itself today.

VICE CHAIRMAN BLOUSTEIN: Do you find anything favorable in the text, aside from the maps?

MR. LINDENBAUM: There are very many things favorable in the text.

CHAIRMAN FELT: The map has nothing to do with function.

MR. LINDENBAUM: We understand that. I am just making ourselves clear, which we supposedly did not do the other day. One of the newspapers - I believe it was yesterday's New York Times - said that the important feature is the question of the three maps being changed into one map, making it easier - there is no question about the innovation and the good points about it as far as our organization is concerned. It's a question of the density and the bulk, and the last illustration I gave was in Sheepshead Bay where a couple of hundred families could be put in - a terrific amount of money was spent for that land and that man could only put in 60 families.

CHAIRMAN FELT: Do you mean to say, Mr. Lindenbaum, that the proposed zoning resolution, if there were reasonable modifications, -- this is just a suggestion for your consideration -- if there were some reasonable modifications of the bulk -- the proposed zoning resolution in the form that we presented would be agreeable to you?

MR. LINDENBAUM: If we could agree upon the work "reasonable".

CHAIRMAN FELT: Is the only thing that disturbs you and your people the amount of bulk that the proposed resolution sets up? In other words, bulk is your only problem?

MR. LINDENBAUM: In your resolution, that would be our present problem. That is correct.

CHAIRMAN FELT: Then you favor the resolution if the bulk were appropriate on the basis of what you think bulk should be.

MR. LINDENBAUM: Except for one or two minor changes. But the important thing is the bulk that our organization is concerned with.

CHAIRMAN FELT: What about non-conforming uses?

MR. LINDENBAUM: Our association of builders are not involved with non-conforming uses. The organization I appear for here today, the Associated Builders ....

CHAIRMAN FELT: Do you feel that the zoning ordinance, as we have it, is so unduly complicated that people cannot understand it?

MR. LINDENBAUM: Well, it's very complicated - that I will say, and I think it can be eased up to a great extent so that people can more easily understand it. There's no question about that. I think the text is there and I think it's because of the technical language and the way it might have been written. If it was eased up, people might understand it more fully.

CHAIRMAN FELT: Your basic objection is bulk.

MR. LINDENBAUM: My basic objection is a question of area bulk.

CHAIRMAN FELT: Very well. Thank you, Mr. Lindenbaum.  
Lindenbaum

MICHAEL LEVINE : Honorable Chairman and members of the City Planning Commission, my name is Michael Levine. I am an attorney at 50 Court Street, Brooklyn, New York. I speak with reference to property owned by clients of mine which, I believe, should be deleted from the proposed changes to be made: specifically, the property in the vicinity of Linden Boulevard, Sapphire Street, 78th Street, 79th Street in Queens County, facing the large development of the Linden-wood housing area.

CHAIRMAN FELT: What is the proposed zoning?

MR. LEVINE: It is proposed as an R-3 zoning classification which I understand prohibits the construction of more than 116 rooms per acre. We believe that because of its very excellent location facing a playground and its contact with rapid transit, that housing, if it were built, should be encouraged to be built in that area.

CHAIRMAN FELT: You are referring to a Queens item.

MR. LEVINE: It's part Queens and part Brooklyn. The dividing line is at Sapphire Street. My client owns property on both sides.

CHAIRMAN FELT: What do you think the zone should be?

MR. LEVINE: We believe it should be graded so that a greater number of rooms can be built per acre.

CHAIRMAN FELT: In other words, you feel that the proposed zone of R-3 would not appropriately permit the development of that site on the basis of an adequate number of rooms per acre.

MR. LEVINE: Yes, your Honor, that is very well stated. I speak also in connection with a piece of property owned by my client at the southwest corner of 6th Avenue and 15th Street.

It is presently zoned for Business uses. We believe that it should be retained in that classification. That block ....

CHAIRMAN FELT: What is the proposed zoning?

MR. LEVINE: An R-6 area. Facing my client's property are three business buildings, two of which are occupied by bars and grills. Most of 6th Avenue is essentially dedicated for business uses. 6th Avenue is one of the approaches to the new Prospect Avenue Expressway. I think if your Honors will view the premises, you will also notice that on the 15th Street frontage, there are various business buildings, a public market, several parking lots, etc. The classification, I think, should be retained for business purposes.

CHAIRMAN FELT: Mr. Levine, will you prepare a memorandum which will incorporate what you said?

MR. LEVINE: Yes, sir. Lastly, I speak in reference to another parcel located at the northwest corner of Utica Avenue and Flatlands Avenue. It is proposed to place it in an R-4 classification. I wrote your Honor in connection with it. The land is vacant. It is the result of a rather recent assemblage. Although it was recently raised to a square footage of 17,500 square feet, my client can trace the origin of its ownership for a period of about twenty years. It had bought the property and intended to use it for business purposes. Practically all of the property along the Utica Avenue frontage is dedicated for business and commercial property use. It faces two gasoline service stations. It faces a large public market. It is immediately adjacent to a factory and distributing station, and one would see without any question that the sole use to which this property should be placed and properly be used is for business and commercial

purposes. I say this lastly: I know your honors intend to satisfy the public as far as it is humanly possible to do and you have a very, very difficult task, but the fact is that my client owns this property for a long time. It has cost him an awful lot of money. He never can see any return if he is required to use it for residential purposes. As a matter of fact, this corner should be placed in the same zoning classification as the other corners are. But far and wide, there has been a consistent development for business and commercial purposes.

CHAIRMAN FELT: That will be included in your memorandum, too?

MR. LEVINE: Yes, sir. Thank you very much.

CHAIRMAN FELT: Is Mr. Azadian present?

SAMUEL AZADIAN : Gentlemen, my name is Samuel Azadian.

I am candidate for District Leader of the Third Assembly District of the West Brooklyn Independent Democrats.

I thank you for the opportunity to express my views regarding the proposed new zoning resolution. I think that this is a major step towards bringing sound and logical planning to the greatest city in the world.

I am a resident of the Park Slope section of Brooklyn. This area is at present predominantly residential in character with commercial zoning on its fringes.

Under your new zoning plan which we strongly endorse no great change will occur in my neighborhood. Park Slope is an area of many fine well-kept small apartments and homes. We are anxious to see it stay that way and the provisions of your plan are bound to help. Nearby Prospect Park is a wonderful haven for all of us. It provides an escape from the heat and humidity during the summer months. Children and mothers with small children play and sun in this sanctuary.

In many other areas the unfortunate tendency of recent years has been to build large apartment houses where previously smaller ones existed. This I feel has the tendency to cramp and overcrowd in many ways. Schools in the areas where this has happened become overcrowded and all community services are strained. Your new zoning plan should save Park Slope from such problems. I can think of no better antidote against slums than the individual home owner who takes pride in his community's well-being. In Park Slope we have many such home owners. They have needed your help and now your plan gives them all a big boost. In their names, thank you.

Azadian

PETER GOVERNALE : My name is Peter Governale. I am the President of the Governale Bros, Inc., Jasper Specialty Co., and Rosina Holding Company, Inc. We are the tenants - owners and manufacturers of convector radiators, located on Avenue N, on the south side, between East 54th and East 56th Streets. I understand.. There are two factory buildings there. One of those buildings originated in 1920. The other one is a new building, just built about two years ago. We are manufacturers of convector radiators. We have been in that area, as I stated, since 1920, and we have over the years built up a business to where we now employ over a hundred people. In that time we have never had any complaints because of noise, smoke, dirt, or keeping the place objectionable. In fact, we have been complimented on how nice these buildings are kept and run.

In your new resolution, I understand you are going to change it from business to residential. The type of business we are in takes a lot of change of equipment, which means modernizing and automatic machinery. In a 25-year period, some of this expensive equipment would never be amortized. Therefore, we would either start to close fast and find another location or stay there. If we have to find another location, I think the City, the community and ourselves would be hurt. This is not a business which is only run strictly as a business. You can understand that after so many years in that type of a neighborhood, we are hit with all kinds of sad cases; for instance, we employ two deaf and dumb people. One-third of our employees are over 55 years of age. These are all local people. If we are disrupted it not only hurts us but also a lot of people.

So, rather than make the story very long, I think that if the zoning was kept as it is, that it would help the community and the City rather than hurt them. I think if we have to tear these factories down and convert them to residential property, it will be a makeshift job with the wrong kind of apartments and the wrong kind of tenancy, too.

CHAIRMAN FELE: Thank you. Is Mr. Bellard present?

WILLIAM T. BELLARD : My name is William T. Bellard. I am an attorney with offices at 2049 Flatbush Avenue, Brooklyn. I am speaking about the same area that Mr. Governale is speaking about. I represent the Bergen Beach Civic Association, the Mill Basin Civic Association, member of the Holy Name Society of Mary, Queen of Heaven, Roman Catholic Church which is located at Avenue M, East 57th Street. I am the attorney for the Flatlands Chamber of Commerce, a member of the Flatlands Lions Club and I am also a past commander of Floyd Bennett Post, American Legion, located at East 56th Street and Avenue N. I am also a member of the Kings County American Legion as a member of the Executive Committee.

I have been a resident of this area on East 56th Street between Avenue N and Avenue M since 1924. I am very, very familiar with the area. I was brought up in this area. I'm familiar with Mr. Governale and his family and what he's done in this particular area. We are very, very proud of being members of Floyd Bennett Post, consisting of members of World War I, World War II, and the Korean situation. The property which we own now faces 160 feet on Avenue N. The appraised value of the property is over \$200,000. We built the buildings in 1948 with one building, and in 1957, we completed the second building.

Bellard

CHAIRMAN FELT: Sir, are they the same buildings that Mr. Governale referred to?

MR. BELLARD: No, these are American Legion buildings. I have pictures of the property I am speaking about. (submits photos) They are <sup>at</sup> 5601 Avenue N, Brooklyn - the property runs 160 feet east on the northerly side of Avenue N, from East 56th Street. The post was organized in 1932 by members of World War I. In 1948, the members of World War I and World War II constructed the first building which faces on Avenue N and East 56th Street. The members of the Korean situation and World War I and World War II constructed our second building adjacent to the original building on Avenue N. We are very, very proud of the fact that we constructed these buildings with the help of the members of our community, veterans and non-veterans.

We are definitely opposed to the present rezoning of the entire area along Avenue N because we feel the rezoning would put our buildings in jeopardy. It would more or less put a termination date on the use of our structures which are now on Business property.

CHAIRMAN FELT: What is the proposed zoning in the area?

MR. BELLARD: Residential.

CHAIRMAN FELT: And what are the businesses that are involved?

MR. BELLARD: Our property right now is located in a Business area. We run functions almost every Saturday night.

CHAIRMAN FELT; I think there may be some misunderstanding on your part, possibly. Let me read this statement that I read earlier that you may not have heard. It relates to the termination of non-conforming uses. I would like to clear up some rather widespread confusion regarding the proposed treatment of non-conforming uses. Termination of non-conforming uses is required in the Residence Districts

only for the following types of uses: billboards and non-conforming manufacturing and related uses. I repeat: these termination provisions for billboards and manufacturing uses would only apply in a Residential District. They do not apply to Commercial Districts. In other words, in a Commercial District there is no amortization period for non-conforming uses - only in a Residential District.

They do not apply to any commercial uses including retail stores, service establishments, garages or filling stations, regardless of where they are located. In other words, if you have a retail store, service establishment, a garage, a filling station, operations of that type that are not manufacturing operations, there is nothing in the resolution that requires those uses to be discontinued in 25 or 40 years. Also, let me point out - and I'll give a copy of this to you, sir - that non-conforming residential uses in manufacturing districts are not subject to termination. If you have a residence in a manufacturing district, that can continue there. You can't create a new residential building in a manufacturing district but nothing will stop you from continuing the use of one already there. The intent of these regulations is to eliminate ultimately those types of uses which are most offensive in a residential neighborhood.

MR. BELLARD: Well, the reason we are here is to protect our interests. Actually, we are a charitable organization. We utilize our buildings actually for dances and operations of that sort but we also have a bar and grill.

CHAIRMAN FELT: That is all right.

MR. BELLARD: I also want to mention another fact: that important to us in this community is the fact - we do have a factory located opposite our property which is owned by the Governale Company. We are very, very proud of the fact in our neighborhood that we have the Governale family in our community because, actually, Mr. Governale's father was instrumental in getting us the buildings we have today. He loaned us \$20,000 when no lending institution would lend us any money, whatsoever.

CHAIRMAN FELT: As I told Mr. Governale, we are going to check into that.

MR. BELLARD: I also want to put on the record that Floyd Bennett Post, even though we are interested on our own buildings, we are also interested in the people in the community and feel that his particular property should be given special consideration before the City Planning Commission; that his property should be exempt from any change whatsoever because he has earned the gratitude of our Post for what he has done for our organization.

CHAIRMAN FELT: We shall be mindful of your views in that connection but I would wish, sir, that you might be able to bring to the attention of your people the fact that your Post, or stores, or garages, or service establishments, are not involved in the 25 to 40 year amortization period. The only type of structures that are involved are structures that are used for manufacturing purposes; and to the extent that the Governale buildings are, we will review those. Thank you, Mr. Bellard. Is Mr. Maki present?

GEORGE MAKI

MR. MAKI: Mr. Chairman, Commissioners and other members of the City Planning Commission:

This is a request for changing an M1 District to an M3 District for Arabol Mfg. Co., 56 Nostrand Avenue, Brooklyn, which location occurs <sup>on</sup> Page 153, Map 13b. I wrote you on March 14th about this request, and I appear here today to elaborate on the reasons therefor.

Arabol Mfg. Company's manufacturing operations come under Use Group 18 which in turn is limited to an M3 District. There is no way in which Arabol's operations could be made to conform to an M1 District.

This firm, 75 years old, has been a pioneer in adhesives. It plays a prominent role in the field of custom adhesives, a field that is continually growing. Custom adhesives does not carry a timetable. It is ever on the threshold for new products, and does not wind up its business at a foreseeable time.

The M1 District is designed to act as a buffer between residential and industrial areas. The restrictions of the buffer zone can be such that an existing manufacturer cannot profitably continue. The property loses market value. The manufacturer can be driven out with a loss, probably a bad one. The expectation that another manufacturer who can conform to M1 performance standards will locate in this buffer zone appears unlikely and hypothetical. Newcomers would be more likely to be attracted to an industrial park. Also, an adhesives plant cannot be readily adapted for other types of manufacture.

It is often said, that the City of New York is becoming more and more a place for the very rich and the very poor. This trend is emphasized in industry also, when high performance standards are set as in the proposed Resolution. There is a definite pattern of fledgling industries starting in New York City, growing, and taking flight. This has been observed in studies made by the Harvard University Graduate School of Public Administration and reported in their book "Made in New York - Case Studies in Metropolitan Manufacturing".

It would appear that such a narrow and selective industrial pattern for New York City is not a healthy one. Can we expect a continued flow of fledgling industries?

To conclude, this Brooklyn area in question I would call blighted. It is difficult to believe that creating M1 districts with high performance standards will remove the blight. It is easier to believe that further blight will be created by manufacturers taking flight because it is difficult for them to meet the proposed performance standards.

It is generally recognized that this area's primary character is industrial. The inducement of an M3 Use District in preference to an M1 can revitalize this area. The need for more industry in New York is unquestioned.

On the other hand, if this area is slated for more public housing to remove blight, it certainly would make no difference if it were M1 or M3. It is as easy to condemn M1 as it is to condemn M3 for a housing project. The difference would have been to the

non-conforming manufacturer who, because of the non-conformity, found his property decreasing in value and his business facing virtual extinction.

On the basis of these considerations, I respectfully request an M3 designation for the premises at 56 Nostrand Avenue, Brooklyn, for the business of the Arabol Manufacturing Company. Thank you.

CHAIRMAN FELT: Thank you, Mr. Maki. Is Mrs. Headley present?

MICHAEL A. DE PINO: Gentlemen, my name is Michael A. De Pino. I am Mrs. Headley's son. I would like to make my remarks on her behalf. I want to call your attention to five specific map changes which affect five parcels of land which my mother owns. The first one is on Map 17B. It's the southwest corner of Utica Avenue and Winthrop Street. That's Tax Lots 10 and 12 in Block 4617. It fronts 67 feet on Utica Avenue by 116 feet on Winthrop Street. The present zoning is Business and the proposed zoning is R-5. The property is improved by a diner and auxiliary buildings erected some five years ago. It is a substantial improvement having cost over \$60,000. My mother only leases the ground on a long-term basis. Utica Avenue to the north on both sides, and for the whole distance directly across the street, is mapped C8-2. As a matter of fact, Utica Avenue for at least a mile on both north and south, is zoned commercially; and what improvements there are - are commercial and in some cases manufacturing - light manufacturing. On the other or north side of Winthrop Street facing this property is a gas station and other improvements within a few hundred feet on Utica Avenue include a lumber yard and building supply place. Backing up Utica Avenue to the west and within a distance of 100 feet more or less is the Brooklyn State Hospital. The only other improvements on this west side of Utica Avenue are all commercial.

It seems then that because of the nature of the street and its present development, housing is impractical and perhaps unrealistic. Therefore we feel that the R-5 proposed zoning for the west side of Utica Avenue between Winthrop Street and Clarkson Avenue should be changed to C8-2 to conform to the zoning on the other side, or as an alternative to that - we don't want to oppose the principles presented in the new zoning amendment. In fact, we are in agreement with the major principles expressed therein. Where an area is undeveloped and undetermined as to use, we agree that you should plan for its proper development in the future. However, on Utica Avenue where the development seems to indicate that commercial nature is its future, we would ask that you change it to C8-2 to conform to the other side or, as an alternative, a C2-2 which would at least legitimatize the present structure on the property.

The second parcel involved is on - in fact, the other four parcels are all on Page 23A - on Map 23A, that is. One is on the southwest corner of Flatlands Avenue and East 58th Street and the other is on the corner of Flatlands Avenue and East 59th Street. The present zoning for that area is Business on Flatlands Avenue for 100 feet in depth and beyond this point it is Unrestricted. Now, to the south of the first parcel, that is, the one on Flatlands Avenue and East 58th Street is the City's incinerator and its property. On the north side of Flatlands Avenue, across the street from these two parcels, there is a gas station; and on the corner of Ralph Avenue and Flatlands Avenue, there is another gas station. There are assorted other commercial enterprises - tire distributors, retail dealers, and so on, around there.

De Pino

The property on the north side of Flatlands Avenue, that is just opposite these parcels is zoned under the amendment as C8-1. It includes, as I said, two gas stations, a kiddy park, but there are no residences there. Flatlands Avenue is a 120-foot street and one of the busiest traffic arteries in Brooklyn, especially from Utica Avenue east. Thousands of cars use this street day and night. We also have a nightclub in the area, two wrecking yards and a so-called zoo. Because of all this, we ask that the proposed zoning for the south side of Flatlands Avenue between East 57th Street and East 59th Street be changed to C8-1 to conform with the zoning on the north side, and that this zoning extends to a depth of 200 feet south of Flatlands Avenue.

The next parcel, also on Map 23A, is on the southeast corner of Avenue K and Utica Avenue. It's a hundred feet by a hundred feet, presently zoned Business - the proposed zoning calls for R-4. Again, I think, because of the commercial character of Utica Avenue, this is impractical and makes the location of residences on that block a little bit unrealistic. On the northeast corner of Avenue J and Utica Avenue there is a gas station now. There is a supermarket on the west side of Utica Avenue and inasmuch as there is this commercial nature of Utica Avenue, we ask that the proposed zoning be changed to C8-1 to conform to the zoning for the east side of Utica Avenue between Avenue J and Avenue K, which is to the north of this parcel.

And the last parcel, also on Page 23A, is the tract that is bounded by Ralph Avenue on the west, by Paerdegat Avenue South on the northeast, Bergen Third Street on the southwest and by Bergen Avenue on the southeast. It includes most of the property in Tax Blocks 8340 and 8341. This property is now zoned Business - the whole parcel -

and composed of some 90,000 square feet. The proposed zoning puts this into an R-3 District. To my understanding, in such a district row housing would be prohibited and we feel that it is unsuitable for this neighborhood where almost all residences erected since the war are attached houses. In addition, we feel that this plot is suitable for middle-income housing. It is large enough, both in area and size for proper planning, its location abutting Paerdegat Basin helps, and we have been making preliminary plans towards this end. We don't ask that its Business zoning or what would be comparable to a Business zone be maintained. As I said to begin with, in an area where the land is undeveloped and its future yet undetermined, we agree with you gentlemen that it should be planned properly for the future. Therefore, we don't ask or insist that the Business zone which is presently existing be maintained under your new amendment.

What we do ask, however, is that you change your proposed zoning from R-3 to R-6, which would permit a middle-income housing type of development. I would like permission, too, to submit these remarks and some additional information to you. Thank you very much.

CHAIRMAN FELT: Thank you, sir. Mr. Unger?

JAY SAM UNGER: Mr. Chairman, Commissioners. I am Jay Sam Unger of the firm of Unger and Unger, Architects, and I represent the Seafarers Housing Foundation and also the community of Williamsburg

I have been, and my father before me has been an architect in that area since 1892. We still maintain our offices there and I am very conversant with the neighborhood. The area I am particularly concerned with is the area bounded by the Navy Yard, Tenth Avenue, up to Wythe Avenue, and stretches from the Parkway to Division Avenue. This area is zoned under the new proposal as M-1. This is a narrow

band that only consists of about eight to ten blocks. We are interested in bringing alongside of that area and into that area the Kent Village proposition which has been in the newspapers for quite some time.

My sponsors feel that they would like to obtain a residential area in that M-1 area and so further enhance their project. Therefore, we are requesting that this M-1 be changed to R-6 to correspond with the existing band alongside of it. We find that this area of M-1 in this particular little band has no chance as a manufacturing area to expand in any direction. It now consists of nothing but slum industrial areas, one-story high factories, junk yards, and rag shops. There is nothing conducive there to fine industrial expansion. This, and I may point out in Page 271 of your report - if I may read this - "Good zoning has its basic advantage in the provision of a logical place for everything that has a useful purpose. As stated in the first major zoning case by the United States Supreme Court, a nuisance may be merely the right thing in the wrong place like a pig in a parlor instead of a barnyard. One of the primary mapping problems is to lessen the deteriorating defects of harmful mixtures of land use."

Let me point that out, gentlemen - that that is what you have in that area. You have slum residential in that M-1 District and you have slum industrial. Bordering on a neighborhood of residential use are very tenacious people, as this woman who spoke before said, who are trying to hold on to their fine old homes that they've maintained. And I request, and will send you a further report on, this change. Thank you.

PAUL PRENDERGAST : Mr. Chairman and member of the City Planning Commission, my name is Paul Prendergast. I am a lawyer with offices at 32 Court Street. I represent Mary Realty Company, which owns Lots 45 and 46 in Block 1308, Map 17B. It is my understanding that the Commission proposes to limit business use to 100 feet west of Nostrand Avenue and to make Empire Boulevard purely residential. Now, the same corporation owns the corner which is occupied by a bank, a tenant. Next to that - Lot 46 - which is the parcel in which I am particularly interested, has two stores and five families above. From the Chairman's memorandum which he read, I may be out of order. It may be that we can continue that non-conforming use. But we have this complication - that we are now negotiating with the bank tenant, which doesn't have enough space in the corner, to extend the bank further west and eliminate the two retail stores. It is not a present use, and my fear is that if that is done in the future, our application to extend that bank building or the building for the use of the bank further west, will not be permitted - if everything more than 100 feet west of Nostrand Avenue is purely residential.

CHAIRMAN FELT: Mr. Prendergast, I am going to have a member of our staff meet with you right now and discuss it with you now, and then I assume that you will give us a memorandum in addition to that.

MR. PRENDERGAST: Thank you very much, Mr. Chairman.

THOMAS J. LAVELLE : My name is Thomas J. Lavelle of the Parkville Taxpayers Association in Brooklyn. As Chairman of the Civic Affairs Committee of the Parkville Taxpayers Association, I have been authorized to lend the support of our group to the proposed zoning resolution. For thirty years our civic organization has been active in preserving the character of our fine one and two-family community. Through our efforts and with the assistance of such agencies as this Commission, we have been successful in maintaining this community so that it continues to be a fine place in which to live. We are confident that the proposed zoning resolution with its modern thinking will perpetuate the kind of environment that our residents have enjoyed for the past quarter of a century. The security of such neighborhoods, the provisions for ample open space, is the greatest encouragement for city living. As an organization of civic-minded people, we are aware of speculative attempts at overbuilding that are so prevalent under existing conditions. Tomorrow, for example, our organization as a body will appear before the Board of Standards and Appeals to protest the erection of a multiple dwelling which, among other things, exceeds the permitted floor area requirements by 65%. Such speculative overbuilding of our City can only be done at the expense of the general welfare. The Parkville Taxpayers Association heartily endorses the proposed resolution. Thank you.

CHAIRMAN FELT: Thank you, sir.

ANTHONY W. KRIEG : My name is Anthony Krieg, 141 Sunnyside Avenue. I am President of the Cypress Novelty Corporation. We are located at 317 Elton Street, Brooklyn. Our factory has been located in an Unrestricted Zone. We've been there since, I would say, 1936, when we bought the building with the intent of staying there and making

a livelihood. My son is up at Fort Devens and I thought I could pass it on to him lock, stock and barrel. For myself I don't care. The building is assessed at \$95,000. I see my entire future being shot to pieces because all of a sudden it's being put into a residential zone. We employ people, about 65 years old, some of them up in the 80's. We have about 55 all told. We manufacture cake decorations - the decorations that go on top of the cake - candle holders, and so on. It's light manufacturing - no smoke, no stench, no noise.

I'm a little nervous because I never spoke before publicly but I am going to empty my heart. I have a letter from Chairman Felt - I had addressed one to the Brooklyn Chamber of Commerce expressing my views - stating that these people would, if we had to move to a different area or a different state, that these people would be out of work - not alone mine, because when this thing goes in effect and in 25 years, my son will still employ old people. But they will not be able to navigate to an industrial zone. It's a small manufacturing concern and here's the story: if we are forced to go into another area -- this is the letter from Mr. Felt: "On the assumption life of these buildings will have been amortized at the end of the termination period, no provisions have been made of any compensation to be paid the owners of affected buildings." That means that after 25 years, we are to let our \$95,000 remain there and to say to the City of New York, "You have it as a gift. This is my life. Take it." Is that fair? You can think it over, gentlemen, but if I was in your shoes, I would take manufacturing concerns that are not doing the community any harm, allow them to continue to manufacture because it is not a detriment. We have a beautiful building there. It's a brick building with no noise, nothing to disturb the neighborhood. What harm is it doing? Should we move out of New York? My son certainly has something to look forward to - coming out of the service.

Krieger

CHAIRMAN FELT: We will check into the matter, Mr. Krieg.

SHIRLEY SCHONHAUT: I am a member of the Executive Board of the Kensington Community Council. The following memorandum was prepared by Vincent Mays, Jr., President of the Council:

The Kensington Community Council, representing residents, homeowners, taxpayers and interested parties residing in the area designated above as well as various member-organizations, including religious, fraternal, business and educational groups being directly concerned and affected by the proposed rezoning to the above mentioned area do:

Hereby request you to amend the proposed rezoning to comply with our aftermentioned request for the reasons hereinafter set forth.

FIRST: Amend the proposed rezoning of the area South of Caton Avenue on East side of Dahill Road, in the Borough of Brooklyn, County of Kings, City and State of New York, to affect the following change:

The proposed rezoning designates the area from Caton Avenue to a point one hundred and fifty feet South on East side of Dahill Road to be classified as C-8.

We would like to have this designation amended to limit the classification of C-8 to a point not more than one hundred (100') feet South of Caton Avenue.

Reason: The present zoning does not permit any structure or occupancy other than a dwelling used for dwelling purposes in the area on East side of Dahill Road more than one hundred (100') feet South of Caton Avenue on East side of Dahill Road and in fact no

other structure or business is certified to be carried on in that area. Beginning at the line 100 feet South of Caton Avenue on East side of Dahill Road and continuing to 12th Avenue there are located no other structures but dwelling buildings and with the exception of a strip of property located at Lot #80 Dahill Road the entire area is used as dwelling houses with adjoining driveways. That strip located at Lot #80 Dahill Road is currently connected with a funeral parlor parking lot on McDonald Avenue and with the rezoning of the area to a point 150 feet South of Caton Avenue, this lot could be used for purposes other than those of a residential nature and in effect detract from the beauty, prestige and value of the property currently located in and about said area.

SECOND: Amend the proposed rezoning of the area bounded by Ft. Hamilton Parkway on the North; by Caton Avenue on the South; by East 2nd Street on the East; and by McDonald Avenue on the West; to affect the following change:

The proposed rezoning designates a classification of C-8 to the aforementioned area.

We would like to have this designation amended to limit the classification to that of C-2.

REASON: At present there is a filling station located on the property herein mentioned, which has been located on said lot for a period of time but a rezoning to classification C-8 would permit other objectionable occupancy in said area without allowing a public hearing to the undersigned and other interested parties who might desire to oppose a variance from the present occupancy to other objectionable ones. Thank you, Mr. Chairman. (Schonhutt)

(At this time - 1:55 P.M. - the Commission recessed until 2:30 P.M.)

CHAIRMAN FELT: Will the secretary call the roll?

(Whereupon, the secretary called the roll of the members of the Planning Commission)

CHAIRMAN FELT: The next speaker will be Mr. Max Fortunoff.

MR. FORTUNOFF: I am happy to represent the Esther Equities, Inc. of 501 Alabama Avenue, Brooklyn, New York.

I am here in reference to the area located in the City and State of New York, Borough of Brooklyn, and consisting of Blocks 4334, 4335, and 4336 on the Land Map. These blocks are bounded by the northerly side of Linden Boulevard, the westerly side of Elton Street, the southerly side of Hegeman Avenue and the easterly side of Warwick Street.

Immediately east of and contiguous with Block 4336 and located on the corner of Linden Boulevard and Elton Street, there is a gasoline station, not in our ownership, now conducting business. The remainder of the block with the exception of about 16,000 square feet is in our ownership. There is also another gasoline station directly across the street from Block 4336 on the southerly side of Linden Boulevard.

On the Easterly side of Elton Street, directly opposite Block 4336, there is an IRT railroad carbarn and a railroad

trestle running above the street level. There is a blank, solid wall about 16 feet high running along the entire length of the easterly side of Elton Street between Linden Boulevard and Hegeman Avenue. In addition, opposite Block 4336 on the northerly side of Hegeman Avenue, there are several stores conducting business.

Block 4335 which is on the northerly side of Linden Boulevard immediately west of Block 4336 consists of the entire block between Cleveland and Ashford Streets bounded by the north side of Linden Boulevard and the south side of Hegeman Avenue. This block has been granted a variance for business purposes by the Board of Standards and Appeals, and is in our ownership.

Concerning Block 4334, it should be noted that the entire northern side of Linden Boulevard between Warwick and Ashford Streets consisting of 200 feet front by 145 feet deep is occupied by the Atlantic & Pacific Tea Co. (A&P) as a supermarket for which the Board of Standards and Appeals has granted a variance for business purposes. In addition, a variance has been granted by the Board of Standards and Appeals for property in our ownership comprising 285 feet along Ashford Street by 100 feet deep. The remainder of the block is in our ownership except for 35 feet of frontage on Hegeman

Avenue and should also be zoned for business.

This land has been zoned residential and as evidenced by the above facts, the zoning of the areas in question for business purposes would be consistent with the adjacent and surrounding areas.

Esther Equities, Inc. is owned and controlled by Fortunoff's Department Store of Livonia Avenue in Brooklyn. The land in the area in question has been acquired for the purpose of building and developing a modern shopping center in place of our present overcrowded facilities on Livonia Avenue. Fortunoff's has been serving the East New York area of Brooklyn for the past 40 years and is now occupying seven large stores on Livonia Avenue within four blocks between Pennsylvania Avenue and Williams Avenue. There are extremely inadequate off-street parking facilities at our present location, thus causing traffic congestion and inconvenience to those we serve.

We decided that something had to be done about this so we were thinking of moving out where we would have more parking. After many considerations we finally decided to build a store close by where we would have enough room for parking, and so we decided to go on Linden Boulevard. We needed quite a bit of space as we have seven stores -- we do a big business and we have people coming in from all parts of Long Island,

M. Fortunoff

Westchester and many other places.

We wish to better serve the community with a modern, beautiful, consolidated shopping center containing adequate off-street parking and other facilities for the convenience of our customers. We are confident that our plan will further the general welfare of the City of New York, and will beautify, benefit and develop the area in question to its maximum advantage.

Therefore, I ask the Board that the entire area running from Linden Boulevard to Hegeman Avenue and from Elton Street to Warwick Street should be zoned as a C-4 district instead of an R-5 District for reasons of consistency and for the beneficial effects it will have on the community.

We respectfully urge that the resolution be modified and that the area be zoned for business use.

MR. FELT: We will check into that.

MR. FORTUNOFF: I will show you a picture of a store that is going up there.

MR. FELT: Where would it be located?

MR. FORTUNOFF: What did you say?

MR. FELT: Where would it be located?

MR. FORTUNOFF: This would be in between the two lots.

M. Fortunoff

MR. BLOUSTEIN: It is on the north side of Linden Boulevard between what streets?

MR. FORTUNOFF: This store would be on Block No.....

MR. BLOUSTEIN: Don't give us the block number. It is the name of the street that we want.

MR. FORTUNOFF: That would be on Linden Boulevard between.....

MR. BLOUSTEIN: Ashford ?

MR. FORTUNOFF: Ashford and Cleveland. It is the entire block.

MR. FELT: Is that under construction now?

MR. FORTUNOFF: No, it is not.

MR. FELT: When do you plan to build?

MR. FORTUNOFF: The construction is not going up now, but now we think we can get the money for it and we can get started on it, and we will have additional parking, which we must have too, as we get a lot of business from all over. Due to the fact that we do right now, over ten million dollars worth of retail business, so you see we have to have a parking space. I am happy to have here a check made out to the City of New York for one store; we have seven stores. One store only is paying the City of New York, \$20,000.00 in sales tax only from people that really don't live in the neighborhood because they travel

but they have to pay sales tax on purchases. This check is made out for \$20,507.00 for three months for one store and we have seven stores like that and yet we have a lot of money.....

MR. BLOUSTEIN: Is that \$80,000.00 a year for this one store for sales tax?

MR. FORTUNOFF: That's right. We have everything made out here to show you.

MR. FELT: Very well, we will go into that carefully. Thank you very much. Do you want the material back?

MR. FORTUNOFF: It doesn't matter.

MR. FELT: May we have that.

CHAIRMAN FELT: Our next speaker will be Mr. George Swetnick.

MR. SWETNECK: Mr. Chairman, Members of the Planning Commission, my name is George Swetnick and I am an Executive Member of the Seneca Club which is one of the regular, recognized Democratic clubs in Brooklyn. It is in the Williamsburg area of that borough. My subject concerns Kent Avenue which is within that area.

Mr. Chairman, you and I have discussed this subject several times before different committees, including the Slum Clearance Committee and your own committee and, at times, even

M. Fortunoff/ Felt/ Swetnick

in your office. We have also discussed the matter with Mr. Smith who gave the detailed plans.

CHAIRMAN FELT: Mr. Swetnick, are you referring to that area which is between Kent and White Avenues?

MR. SWETNICK: The area we are discussing is between Kent and White Avenues, which is between the Brooklyn-Queens Expressway and Division Avenue which is now designated as M1 on the new plan, and we urge you and the Zoning Committee to change it to R6 which is the zoning for White Avenue running towards Bedford Avenue.

The area we are talking about is just one strip. It is one block which runs -- I will explain the highway. It is Division Avenue. It is a slum area I am talking about; it is commercial and industrial and one of the largest we have anywhere in the City. I have a set of pictures here, although I think you have already seen these pictures.

Mr. Chairman, they have been shown to the Slum Clearance Committee and I would like to show them to the other gentlemen in this body present this afternoon, exactly what types of buildings are presently there. I am only going to talk on this matter.

You had a Congressman appearing today, speaking on the same subject.

G. Swetnick

You had representatives of the Seafarers Union, and they also presented a plan to the Slum Clearance Committee, requesting that committee to come in and really do a job in Williamsburg. They formed a non-profit housing function as you are all well acquainted with, and they are willing to come into this particular area of Brooklyn and put in whatever finances that are necessary and really try to rehabilitate that particular section.

I think you also received letters from the YMHA. You have received letters from every conceivable organization within the area in favor of this change. As I have stated, you had the Congressmen here today, but, unfortunately, the Senator could not be here. The Assemblymen could not be here because they must be in Albany but I think they did send you a telegram today also expressing their favorable opinions of why this change should be made.

May I inform you and the body here this afternoon that Williamsburg, the area that I am speaking about, was one of the first Title I projects that was ever put to the Board, but for some reason or another it never came to a head. At my last meeting with the Slum Clearance Committee, I asked Mr. Moses why this project never came to a head and he said it was very simple. We could never get a sponsor for it. Nobody would

ever want to come into Williamsburg and put money into it.

Now, gentlemen, my contention is that the only reason this original Title I Project could never get off the ground was because Kent Avenue was not included.

Now, I urge you with all my power, you have had practically everybody in public office come up before you. Now I am asking you to change that one stretch; it is just a one-block area and, if you do that, it will mean all the difference in the world and Williamsburg will once again have proper housing.

I have the pictures here. May I give them to you?

CHAIRMAN FELT: Yes.

Mr. Swetnick, you will recall the decision of the Slum Clearance Committee in the matter. Unless I am mistaken, it would consider proceeding with the housing development, extending from White to Bedford Avenues with the understanding that it be spread over a period of years which was to be agreed upon. I think there was some difference of opinion; that between five years and three years the section from White Avenue to Kent Avenue would not be improved; that industrial parts of that area would be added to the residential development.

MR. SWETNICK: That is right.

Felt/ G. Swetnick

Mr. Chairman, may I make a further observation. This area that I am speaking about just turns right off the highway. We have Schaefer's Brewery located along Division Avenue which we want to keep. We face Division on the other end of it, which we want to keep, but this faces, as you well know, the Navy Yard, and regardless of whether we want to keep it, I think we can be practical in this matter. As you well know this government most probably will never build another battleship, will never build another aircraft carrier because of our nuclear weapons. All these types of ships are just sitting in drydock.

CHAIRMAN FELT: Mr. Swetnick, that may be your view of the matter.

MR. SWETNICK: I am not an expert but I have a right to express myself and I think I am correct. With that view in mind, I think the Navy Yard will eventually turn into another parking area, the same as we had at Fort Hamilton or any one of the old type forts. With that in mind -- planning for the future -- I think that would be an ideal residential area, and if we do that, I think we will all get off to a good start.

Mr. Chairman, again let me say that--

CHAIRMAN FELT: Mr. Swetnick, we will give you full consideration in this matter.

Felt/ G. Swetnick

MR. SWETNICK: Thank you very much, Mr. Chairman.

CHAIRMAN FELT: Do you want us to keep those photographs or do you want to take them with you?

MR. SWETNICK: I would like to leave them with you.

CHAIRMAN FELT: Mrs. Warshall, will you please step up.

MRS. WARSHALL: Mr. Chairman and gentlemen of this Commission, I would like to tell you that I am speaking in behalf of the residents of three blocks: Rugby Road, Marlborough Road and Buckingham Road.

CHAIRMAN FELT: May we have your name, please?

MRS. WARSHALL: My name is Mrs. Warshall of 56 Rugby Road, Brooklyn.

As all of you know, there are very few areas in this city that can compare with Flatbush or the beauty of Flatbush. Our blocks are very similar to the blocks right next to it-- Rugby Road, Marlborough Road or Buckingham Road between Albemarle Road and Church Avenue. We are residents of Church Avenue and Kent Avenue; we are all residents of one-family houses, which are very well kept; they are all detached houses, and are being rezoned to R-6. I think this rezoning will spoil our area because right now we have 100 people per block, each owning a one-family house. R-6 will give us about 45 people per block.

We already have builders who are running around trying to buy up one-family houses.

CHAIRMAN FELT: Would you say that the majority of the families that are living within those three blocks feel the same way as you do about this matter?

MRS. WARSHALL: Yes, we had a meeting and we had 100% of Marlborough Road and a few people from Buckingham Road.

CHAIRMAN FELT: Would you be able to give us a general idea either now or in a memorandum relating to the attitude of the people living within those blocks? In other words, would you say that 70, 80 or 90% of these residents feel as you do?

MRS. WARSHALL: Yes, 100% on Rugby Road, because we were 100%.

CHAIRMAN FELT: The reason I ask you that question is because this Commission is generally sympathetic to what we call an upgrading. What you are requesting, in effect, is an upgrading of the zone. Very often there are property owners involved who take an opposing position, and I was wondering where there was any basic opposition in this particular area.

MRS. WARSHALL: The only opposition we are getting is from property owners in the vicinity of Caton Avenue and Rugby Road; they are looking at it from the point of resale

value. I told one property owner when he bought a piece of property that this would be a wonderful site for an apartment house, but right after he bought it, he tried to sell the house.

CHAIRMAN FELT: Mrs. Warshall, what is the present zoning in that area?

A VOICE: It is an E Zone.

It is an E-1. We just looked at the map.

CHAIRMAN FELT: In any event, you will --

A VOICE: It is between Church and --

MRS. WARSHALL: Yes, it is.

A VOICE: That is E.

MRS. WARSHALL: If they build, only 35% of the property can be used, and these people are running around trying to get a variance in the zoning law, trying to build on more than 35% of it.

CHAIRMAN FELT: As I said before, it impresses the staff. I would say the Commission and our staff are generally sympathetic to any upgrading.

MRS. WARSHALL: We are, too. I think all the citizens in Flatbush would like to keep the area beautiful; it represents Flatbush and we try to keep up our houses looking beautiful.

CHAIRMAN FELT: Mrs. Warshall, I do not intend

Felt/Warshall

to cut your presentation short, but we would appreciate your informing us as to the percentage of the owners of those three blocks that favor an upgrading to R-3. We would like to have that information.

MRS. WARSHALL: I would say it is 90% of the neighborhood on those three blocks; it is just a small handful who oppose it.

CHAIRMAN FELT: Are there any more people from your neighborhood present this afternoon?

MRS. WARSHALL: There were six of us, but only two of them remained because we have been here since 10 o'clock.

CHAIRMAN FELT: Will you proceed?

MRS. WARSHALL: I would like to say that the school in this area has split sessions now, and they are building a very large building on Parade Place which would also crowd this area.

The junior high school is crowded and the other high school, as you know, has more than twice its capacity. This is all fed into this one area and if they allow these three blocks to be rebuilt for apartment houses, within a short time, this will become a very congested area, and it is a very beautiful area right now.

They are improving Parade Place; they are improving

Felt/ Mrs. Warshall

different parts of the Flatbush area and we would like to keep it that way.

CHAIRMAN FELT: We will review the matter very carefully, Mrs. Marshall, and if you would like to maintain contact with our Commission, please contact Mr. Jack Smith of our office and provide him with the additional data that I suggested; we would appreciate it.

MRS. MARSHALL: I think this is a wonderful program, and I might say that if the City Planning Committee submits it, we feel it would be remarkable for our city.

CHAIRMAN FELT: Do the other ladies desire to speak at this time?

MRS. MALACH: Mr. Chairman and Members of the Planning Commission, my name is Mrs. Malach, and I reside on Rugby Road, Brooklyn. The only thing that I would like to say in addition to what Mrs. Marshall said is that the area immediately bordering on us is at present a G-1 and will be made an R-2 district. We are area E zone, a three-block area, and instead of going into the other area on either side of us, we would like to be taken in with the area to the south of us and be made into a more restricted residential area which we are at present. We don't have any apartment houses. Also, even though we are an E zone, we have no apartment buildings. We

would like to be an E-1 zone, at present.

CHAIRMAN FELT: Mrs. Warshall, unless I am mistaken, you previously requested that your district be rezoned to an R-3 district, is that right?

MRS. WARSHALL: Yes, an R-3 zone would be similar to what we have now.

CHAIRMAN FELT: Mrs. Warshall, is that what you have in mind?

MRS. WARSHALL: An R-2 is adjacent to us. We do have some of the older homes on our block that have been made into two-family homes. I don't know whether it would make any difference with an R-2 but we are R-2 even though our zoning is E. we meet the requirement.

CHAIRMAN FELT: Well, a two-family house would be a non-conforming house in an R-2 district, but it would not be a non-conforming house in R-3.

MRS. WARSHALL: Yes.

CHAIRMAN FELT: Is Mr. Hardee present?

MR. HARDEE: Yes, sir.

CHAIRMAN FELT: May we hear from Mr. Hardee?

MR. HARDEE: Mr. Chairman and Members of the Commission, my name is Covington Hardee. I am an attorney-property owner of 14 Remsen Street, Brooklyn, New York.

Felt/Warshall/Hardee

I am speaking on behalf of the Brooklyn Heights Association. Many of the members are property owners, and for the past 50 years we have been engaged in attempting to continue to foster development of Brooklyn Heights as a family-type community.

I am not going to take much time and I want to say on behalf of the Brooklyn Heights Association that we are 100% in favor of the proposed zoning resolution. We think the Commission and planners on the staff who have worked on the resolution have done an admirable job. We think that the only way this can be attacked is by completely rewriting the resolution. Further, we congratulate all of those people who have taken a part in it and express the hope that it will be adopted.

At previous hearings, we expressed on behalf of the Brooklyn Heights Association a request for zone changes, which have been made, and we have in addition today a brief memorandum which I would like to leave with the staff, requesting three additional minor changes in the mapping. I won't take the time of the Commission to go through those. Instead, I will leave this statement with the staff and we express our desire to meet with them whenever it is convenient for them to discuss these three additional minor proposed changes.

C. Hardee

Thank you, very much.

CHAIRMAN FELT: Thank you, sir.

Mr. Edward Reid will be the next speaker.

MR. REID: Mr. Chairman and Members of the Planning Commission, my name is Edward Reid. I am a property owner in Brooklyn Heights, located at 22 Garden Place. I am speaking today as a property owner in that neighborhood. I am a member of the Brooklyn Heights Association; I am a member of the Community Conservation and Improvement Council. I have attended meetings of a great many other civic groups in Brooklyn Heights, of which there are quite a few, and many of them have stated their position to this Commission. To my knowledge every civic organization offered their wholehearted support of this zoning resolution, and speaking as a property owner, I am in favor of the resolution.

There are about 650 houses in Brooklyn Heights; there are brownstone type buildings, in addition to quite a number of apartment buildings and a good many of these houses are owner-occupied. We have left maps with the Commission indicating those houses, and I have acquaintanceship generally with the people who own property in that vicinity. I do not know of a residential property owner who resides in Brooklyn Heights, and who expressed any sentiment about this zoning resolution

other than complete support. We believe that this type of resolution will preserve and help to rehabilitate an essentially stable residential neighborhood, which is the type of thing that we think is very important to a metropolitan area. As a representative of the Brooklyn Heights Association I have a few suggestions for map changes that I personally think may be an improvement to our area, but even without these changes, I think it is fair to say that Brooklyn Heights is wholeheartedly behind this resolution, and whether the changes are accepted or not we will still support it every way we can.

CHAIRMAN FELT: Thank you Mr. Reid.

The next speaker will be Mr. Alexander Levine.

MR. LEVINE: Commissioner Felt and Members of the Planning Commission, my name is Alexander Levine. I am an attorney at 66 Court Street, Brooklyn. I am also a property homeowner of a two-family house located on East 87th Street, Brooklyn.

Last year, I had the privilege of submitting to your Board, the Planning Commission, an application for a change of zone on that block from a manufacturing district to a residential district, calling the Board's attention to the fact that there was one piece of land left in this area, located on the west side of East 87th Street, 100 foot north of Ditmas Avenue and

the dimensions are 120 feet frontage by 100 feet in depth.

I have had the pleasure and privilege of consulting with your staff. I submitted a petition signed by 50 homeowners in that immediate vicinity, block No. 78-11 and block 79-12, on the land map or the tax map of the City of New York.

I can honestly say that it is one of the most beautiful spots for residential one-and two-family houses that has developed in the last four years. The property on East 86th Street was built many years ago and consisted of a row of one-family houses. I think you may know about it; It is occupied by a lot of people who are since retired and living there and who do not pay attention and can't very well leave. We want the whole block of 86th Street, the east side and the west side, from Ditmas Avenue, to be all residential. In fact, they are maintaining themselves. East 87th Street, the block away from where I live, in the last four years has come up to such a degree that you can notice that there are semi-detached as well as some detached houses on that block, and, except for a few factories on the end near Ditmas Avenue, that whole block is completely residential. I further state that in the last four years, the block has been blessed on 87th Street with 32 boys and girls, and the block is impregnated with children. I am asking you to sustain our application to keep that area residential.

A. Levine

MR. LEVINE: That's right, because the rest of it is all built up and there is nothing that you or I can do to change it.

CHAIRMAN FELT: Mr. Levine, you are primarily concerned with the area of 100 feet, which is south of the manufacturing section; is that right?

MR. LEVINE: That's right, it is vacant. Since I made the application, and I was pressing at that time earnestly and sincerely, and somebody came in and built a wide fence in that section to use for storage purposes that will not bring the city much tax money, so why keep them there. I am not talking about an 80-foot piece out of 120 feet which is the most northerly, out of the 120 feet. I think it a crime to permit any such thing on a street of this nature where people invested all their life savings, and spent at least \$2,500.00 for each house so that they could raise their families decently.

CHAIRMAN FELT: What is the present zoning in that area?

MR. LEVINE: It is a residential, as far as the residential is concerned.

CHAIRMAN FELT: Is it a manufacturing district at the present time?

CHAIRMAN FELT: Mr. Levine, what did we propose for that area?

MR. LEVINE: You proposed to keep that piece manufacturing, a distance of an additional 100.

CHAIRMAN FELT: Are you talking about 100 feet?

MR. LEVINE: It is 120 feet.

CHAIRMAN FELT: Are you now talking about a strip of 120 feet?

MR. LEVINE: That's right, of which 100 feet is for a manufacturing district, and 20 feet is for a residential district.

CHAIRMAN FELT: You feel that the 100 feet of manufacturing section should be an extension of residential area, is that right?

MR. LEVINE: That's right, or if you generally feel inclined, at least give us half of it, at least a buffer zone.

CHAIRMAN FELT: Mr. Levine, I would like to ask you a question.

MR. LEVINE: Yes sir.

CHAIRMAN FELT: Do you generally approve of the balance of the zoning in that area; is that the only area that is disturbing to you?

MR. LEVINE: It is 200.

CHAIRMAN FELT: Do you mean that it is 200 feet?

MR. LEVINE: We will even settle for half of that or 50 feet, but we want a buffer zone between those two districts.

CHAIRMAN FELT: Mr. Levine, we understand your position.

MR. LEVINE: We would like to have at least 50 feet but we are located near Tilden High School and as a matter of fact, we are near several public schools. That area is primarily a residential area and I think you ought to keep it this way in the interest of all concerned, because we are paying very high taxes there and we have a right to a certain amount of privacy, to some peace and quiet.

CHAIRMAN FELT: Thank you very much, Mr. Levine.

MR. LEVINE: Mr. Chairman, there is one more speaker who is concerned with another parcel, No. 8410, on Avenue U between E. 69th and East 70th Street. My client owns that parcel. I know at one time it was proposed to be rezoned to a residential area, and when I came in and I took it up with your staff with respect to that frontage part on Avenue U, and it was retained as a retail area.

Now, I understand that the Planning Commission proposed to change that again to residential. We bought that property from the city and paid a price to redeem it; we originally had been waiting for sewers to come so that he could go ahead and construct a retail area. Up to the present time, there have been no sewers put in but we expect to get sewers very shortly.

I again earnestly request that this Board look at No. 8410, block 1, the entire property between East 69th Street and East 70th Street and give us an opportunity to improve it the way it should be improved, with local retail stores which was originally decided by the Planning Commission.

CHAIRMAN FELT: Our next speaker will be Mr. William Rokkaw. Will you please step up, Mr. Rokkaw.

MR.ROKKAW: Mr. Chairman, Members of the Commission, my name is William Rokkaw, of the Greenpoint Civic Council. This morning, when Mrs. Liotta was here, she touched on some of the phases, but I don't know exactly what she said. I asked her to tell you that I wouldn't be able to make it.

CHAIRMAN FELT: I believe she was heartily in favor of the zoning resolution, but there were some districts that she thought we should reconsider. She also said that you probably would be here this afternoon to talk

about some of those districts.

MR. ROKKAW: I will tell you, and I think I have to state heretofore that I think you ought to know that Mr. Lilenthal is in charge of this committee. He happens to be at present a state assemblyman.

CHAIRMAN FELT: He will not be here today: is that correct?

MR. ROKKAW: That is correct.

CHAIRMAN FELT: I know that we announced his name.

MR. ROKKAW: We wish to stress some of his positions; that there are presently four areas predominantly for residential use, with only slight changes which have not been approved by your Commission. One area is due -- i.e., Montclair Street, from Franklin Avenue to Manhattan Avenue. In that area there are schools; one is a parochial school and the other one is a public school. It is a district with a great deal of children.

Now, you zoned one side of Dupont Street and you did not zone the north side of Dupont Street.

CHAIRMAN FELT: Do you mean that you would like to have that side of the street rezoned differently?

MR. ROKKAW: You rezoned one side and not

the other side, and we requested that both sides be rezoned.

CHAIRMAN FELT: Can you tell me exactly what you would like to have rezoned and what type of zone you desire?

MR. ROKKAW: We would like to have it rezoned residential and we would like to have the other side the same way. Also, we would like to have the south side of Clay Street improved at that point near Meserole Street. It is almost entirely residential. The east side of that street you did not zone. The west side you did rezone. Now, somebody said that it may have been an error, and we would like to have it corrected.

Well the east side, going from Meserole Street happens to be a strip and I guess it was cut down for the connecting highway. We had zoned three blocks of that area where it breaks into Meserole Street, and it was not rezoned from Meserole to Calyer but on Meserole there happens to be houses. There is just a little piece at the corner of the west side of this street which you did not zone although the entire west side of Oakland Street was rezoned. We would like to have that strip zoned as residential, the east side of Oakland Street.

Before there were homes on a strip of 50 feet by about 350. The Merchants Association are going to have meetings and I hope to be present. They are putting up the

money; they are the sponsors of the area and they also want that zone to be residential.

CHAIRMAN FELT: Mr. Rokkaw, I would like to say this to you; In connection with the section that we zoned residential some months ago, I think the merchants said that they were going to encourage the development of residential construction in that area.

MR. ROKKAW: That is right.

CHAIRMAN FELT: Did residential construction commence up until the present time?

MR. ROKKAW: It has been going along; it's being considered and it is being straightened out by the architects.

CHAIRMAN FELT: Are you referring to the residential buildings?

MR. ROKKAW: Yes, sir.

CHAIRMAN FELT: Would you please send me a memorandum to that effect?

MR. ROKKAW: I certainly will.

CHAIRMAN FELT: Please submit a little diagram indicating the area in which these residential buildings are being processed by the FHA.

MR. ROKKAW: I will be glad to.

Felt/ W. Rokkaw

With respect to one final thing on our rezoning request which you did not accept the last time, it says that the south side of Driggs Avenue to the north side of Bayard Avenue, and another area which includes an area now being considered for a new school within that area. Now, this happens to be a larger area and is practically the lifeline of our neighborhood. Whether you know our neighborhood well or not, Greenpoint happens to be one of the oldest communities in the city. Many people are planted well and firm in the area and it has a good prestige. We are losing too many people. We practically lost about 40% of the people in the past thirty years, and that was due to connecting highways, bridges and what not that goes through there. We still have problems that hit our area, but it has been gradually ironed out.

This area happens to be in a space where there are old one-family houses. It is an area of approximately eight square blocks, of which some of the homes along there will not be touched because it happens to be adjoining a park area. Now a park area is very good for the school children. All the people living there also happen to use this park area. You can take a walk for about two-thirds of a mile around the park, and there is all industry. This happens to be a place where homes should be where people can enjoy the

spring and the summer, and if you would be kind enough to send some of your representatives to go through that area with us and check, you would find it is an ideal spot where homes should be. This area near the school area, the Board of Education is considering whether we can have double that space for a park area and the chairman is checking into it. It happens to be from Bayard Street to Driggs Avenue, from the east side of the park over to Graham Avenue. It is an excellent place where there are not too many people; there are seventy-five families there, which includes those people remaining on Graham Avenue; -- I don't know, but at the most, 10 to 12 (changed?) families can be put/into 1,000 units, including a school, and we have a sponsor that is willing to go along with it.

CHAIRMAN FELT: Mr. Rokkaw, we will look into that matter and we are devoting a great deal of our time studying your problems.

MR. ROKKAW: Well, we have tried our best.

CHAIRMAN FELT: You have done very well.

MR. ROKKAW: I am sure that you will go along with us, and we would like our Assemblyman and State Senator maybe at some future time to get together with members of our community and also sit down with a few of the members of your Board and go through a few of those things.

CHAIRMAN FELT: We would be very pleased to do that, Mr. Rokkaw.

MR. ROKKAW: I will put that in our letter.

CHAIRMAN FELT: You can either include that in your letter or you can phone our office or both, and we will be glad to hear from you.

MR. ROKKAW: Thank you.

CHAIRMAN FELT: Will Mrs. Doris Schiffmacher please come forward?

MRS. SCHIFFMACHER: Mr. Chairman, I represent the Vanderveer Civic Association of which I am Corresponding Secretary.

I am here in reference to the rezoning of the properties of East 31st Street. We consider this to be unnecessary because the stores are around the corner; they aren't overworked and the customers -- if you are going to put more business stores around there we are going to have a lot of people at this place.

CHAIRMAN FELT: What is your present zone designation?

MRS. SCHIFFMACHER: The zone is R-6.

CHAIRMAN FELT: What designation do you prefer?

MRS. SCHIFFMACHER: We want it rezoned to R-3.

CHAIRMAN FELT: Just a moment, please.

MRS. SCHIFFMACHER: It is near the junction on East 31st Street, and those trains --

CHAIRMAN FELT: Just one moment. What is the present zoning on that map?

MRS. SCHIFFMACHER: It is an R-3.

CHAIRMAN FELT: We are talking about the existing regulations. Will you please define the district in that zone?

MRS. SCHIFFMACHER: They are on Nostrand Avenue. They have retail stores --

CHAIRMAN FELT: In other words, retail stores are presently permitted on Nostrand Avenue?

MRS. SCHIFFMACHER: That's right.

CHAIRMAN FELT: Mrs. Schiffmacher, that is Nostrand Avenue and where?

MRS. SCHIFFMACHER: That is on Flatbush Avenue.

CHAIRMAN FELT: Did you say it is on Flatbush Avenue?

MRS. SCHIFFMACHER: Yes, now they want to extend it toward the block east, to East 31st Street, where

I live.

CHAIRMAN FELT: Are you living in that neighborhood at the present time?

MRS. SCHIFFMACHER: Yes.

MR. BLOUSTEIN: Are you referring to Glenwood Avenue?

CHAIRMAN FELT: Mrs. Schiffmacher, just one moment. We want to make sure we know exactly where that area is located on the map.

MRS. SCHIFFMACHER: All right.

CHAIRMAN FELT: Mrs. Schiffmacher, the proposed zoning is an extension of another half of a block of a retail store district.

MRS. SCHIFFMACHER: That's right.

CHAIRMAN FELT: Is that what you are opposed to?

MRS. SCHIFFMACHER: Yes.

CHAIRMAN FELT: Do you prefer to have residence on that half of a block?

MRS. SCHIFFMACHER: Oh, yes, a residential block.

CHAIRMAN FELT: In other words, you want the same thing that you have now?

MRS. SCHIFFMACHER: In fact, that part -- is the Vanderveer Section; it has been called and referred to as the garden spot of Brooklyn, and we do not see why it should be changed.

CHAIRMAN FELT: Mrs. Schiffmacher, do all of the people or most of the people in your civic group feel the same way you do about the map?

MRS. SCHIFFMACHER: Yes, we haven't had any opposition whatsoever. We haven't been told of anyone opposing it at all.

CHAIRMAN FELT: All right.

MRS. SCHIFFMACHER: I have been living there for 35 years, in that one house. I came from the Division Avenue section; someone spoke about that section a little while ago. I was born there and I came down to Flatbush when I was married. We lived in this house for 35 years, and to have stores on that block wouldn't be so nice.

CHAIRMAN FELT: Is the general zoning that we have proposed for that area agreeable to you, with the exception of that half block?

MRS. SCHIFFMACHER: Well, we don't wish any change in the zoning of Section 23 in the Vanderveer Park Section.

CHAIRMAN FELT: Is there basic change in the

present zoning?

I am told by our staff that the zoning is the same. There is a different designation but it is more or less the same with the exception of that half block.

MRS. SCHIFFMACHER: Yes.

CHAIRMAN FELT: Will you please look at that map.

MRS. SCHIFFMACHER: Yes, they are all the same type houses, one and two-family houses, and to change the character of that block will ruin everything.

CHAIRMAN FELT: Will you please look at that map?

MRS. SCHIFFMACHER: It would give us peace of mind.

CHAIRMAN FELT: Will someone in your association be able to send us a short memorandum?

MRS. SCHIFFMACHER: Yes, sir.

CHAIRMAN FELT: Write a memorandum containing the substance of what you told us today and anything else you would like to add to it. If you can send it to us within a week, we will appreciate it.

MRS. SCHIFFMACHER: Our President is present, too.

CHAIRMAN FELT: Would the President of your

Felt/D.Schiffmacher

Association like to say a few words?

MRS. SCHIFFMACHER: Yes, I think he would.

Thank you.

DR. PALAMARO: My name is Dr. PALAMARO:

Mr. Chairman and gentlemen of the Planning Commission, I am president of the Vanderveer Civic Association and Captain of the 18th First Assembly District. I am also organizer, founder and President of the Brooklyn Civic Board.

Last October, gentlemen, we stood here in this hall and fought for the right to protect our homes from the Municipal Parking Plan. Certainly, it doesn't seem justified that after winning that battle to preserve the rights of citizens to live in peace and quiet in their homes, that we should again stand here to fight for that same right to prevent an insidious organization that is rezoning the area from moving in. This particular area extends from one end of Flatbush Avenue to the other, and I don't see any reason why they should encroach upon the private street or Flatbush Avenue, which is zoned C-4 or whatever the other number may be.

I received phone calls this morning from the people in the 18th District, frantically telling me that they are going to commercialize the entire area. Not knowing about this prior to being here today, and by just glancing at the

map I saw what they meant. We certainly are opposed to business establishments moving into the residential areas.

In this particular area, which is the heart of my district, I stand here today to oppose that plan.

CHAIRMAN FELT: As I told Mrs. Schiffmacher, we will go into that very carefully, and I want to assure you that we will do the same for you.

DR. PALOMARO: Thank you.

CHAIRMAN FELT: Is Mr. Victor A. Sutter in the room?

A VOICE: Yes.

MR. SUTTER: Mr. Chairman and Members of the Planning Board, my name is Victor A. Sutter, and I am appearing here for the Sutter Brothers Marine Basin located at 2461 Knapp Street, Brooklyn 35, New York.

I am not a lawyer nor am I affiliated with any other organization. I am representing myself, my company, which is Sutter Brothers Marine Basin. I had the opportunity of being before this Board three or four years ago with respect to the rezoning of a piece of property which is on our map, 29-A. "Plot number 7429, Lot Number 16."

CHAIRMAN FELT: Will you please tell us the name of the street?

Mr. SUTTER: The name is Knapp Street and it is between Avenue X and Avenue Y, on the west side of Knapp Street.

MR. BLOUSTEIN: We have located it; it is in Zone C-3.

A VOICE: No, it is R-3.

MR. SUTTER: It is going to be classified as R-3, but, at the same, I was here three or four years ago and the property was, at that time, unrestricted. It was purchased by my family at the time when we started in business over 34 years ago in this area. I wish to impress upon you gentlemen that at that time there was neither a roadway to get access to and from that section. We put in that roadway of Knapp Street, from Avenue W down to Avenue Z, ourselves. We have since developed that area into what it is today. I pleaded to you at that time, three years ago, to maintain that section or that portion known as Lot 16, to be unrestricted or another classification whereby we could use it for both retailers or manufacturers, which we established when we

first came to the area. I was notified by your chairman that I would be notified concerning the outcome of the meeting. I am still waiting; I have received no response.

Although I have learned that it has been classified into an area or district category, today, I am here again seeking that it does not become residential, because I had no purpose of putting in homes when I purchased it some time ago. We may have to move our business across the street, over to that area. At that time, manufacturing maintained a machine shop and both buildings. As I requested three years ago, I beg of you again to reconsider and zone that area to an M-1, 2 or 3 district so that we may maintain a business which we have already established over 35 years ago. Our property adjoins the Coney Island Sewage Disposal Plant, which is not flattering for the residents in that area. Although I lived opposite that sewage plant, my brother and myself, we put our own homes in about 1932. We have no complaints with the sewage disposal people but we did not buy the property again for residential purposes which you are going to make it. Therefore, I ask you and beg of you to rezone it again back so that we can use it for our own operation. We want it changed to an M-1, 2 or 3. It is bounded by two gasoline stations of which I own the property

of one and another gasoline station is on the other end, opposite the same street. I own the whole block, which is a boat repair yard; there is a show room and they do boat repairs. So much for that particular block. Also, we call your attention to the block across Knapp Street, which would be block number 7543 and includes Lots 1, 5, 20, 25 and 50, which we also own.

MR. BLOUSTEIN: What is the name of the street?

MR. SUTTER: It is Knapp Street and it is between Avenue X and Avenue Y. I am referring to a piece of property which I just mentioned, and request it to be rezoned to M-1. This should be classified to C-3, a waterfront recreation district.

I have thumbed through their books for quite some time and it took many hours of labor to get this book composed before I started my second request. I would like to have C-3 clarified. As I interpret it, under your resolution--

MR. BLOUSTEIN: Would it be helpful to you if a member of our staff explains the purpose of C-3 to you?

MR. SUTTER: I don't think so, sir.

MR. BLOUSTEIN: Did you say that you will not accept it?

MR. SUTTER: I will accept it if you answer my question when I bring it up.

In that boatyard they have storage space. They do repair work and repainting, including incidental sales of boats, boat parts and accessories with restrictions on both sides of the setbacks. I would like to clarify what they mean by "incidental sales of boats." I would like to have clarified what is meant by "restrictions on both sides".

This is in a C-3 area and I want a clarification of what the interpretation is of "restrictions on both sides" together with the "incidental sales of boats."

MR. BLOUSTEIN: I would suggest, Mr. Sutter, that you understand that it is necessary for us to understand your view. Mr. Smith, a member of our staff, indicate to you the use that could be made of that property under C-3. If you find that it is not desirable for your purposes, if you will then notify us, we will make a record of it and we will consider all the information that you have submitted.

MR. SUTTER: Are you referring to the second part?

MR. BLOUSTEIN: Yes.

MR. SUTTER: We also have a show room on our premises together with one repair shop, and it is not covered under C-3, therefore, this man will show us---

MR. BLOUSTEIN: That also will be explained to you. Do you prefer an M-1 designation or a designation of one of the manufacturing districts.

MR. SUTTER: I want that together with it.

MR. BLOUSTEIN: On both sides; is that what you mean?

MR. SUTTER: Yes.

MR. BLOUSTEIN: Is that the East and West sides of Knapp Avenue?

MR. SUTTER: Yes. I would also like to ask if I may get a copy of what I am saying here today? Can I purchase a copy of the minutes that this gentleman is taking down?

MR. BLOUSTEIN: Mr. Sutter, what you have stated today is in the record, and you can obtain a copy of it if you request it by letter.

Bloustein/ V.Sutter

Write a letter to the Planning Commission and request a copy of the transcript of your remarks.

MR. SUTTER: Thank you very much, and will I be notified as to where Mr. Smith is located?

MR. BLOUSTEIN: Mr. Smith will make an appointment with you.

*MURRAY B.*  
MR. FELTON: Mr. Chairman and gentlemen of the Planning Commission, my name is Murray Felton and my address is 16 Court Street, Brooklyn, New York.

I am here on two matters: The first one involves the so-called **Mill Basin** area. You gentlemen will no doubt recall that in May of 1959 when we were here in connection with the application for a rezoning in the **Mill Basin** area, you may recall that at that time there was quite an extensive hearing; there were hours of negotiations with the staff and community; that as a result of this application, a change in zoning was effected by this Board, resulting in several compromises, one of which was the creation of a buffer zone and the E-2 Zone in the **Mill Basin** area, and another was the creation of a new area known as a D-1 Zone. Likewise, in connection with that application, we, as the owners of

V. Sutter/ Bloustein/ M. Felton

the premises effected, filed in the Registrar's Office a certain revision of covenants and deeds to run with the plot and appurtenances in connection with this application.

We respectfully submit that ~~what~~ was found to be reasonable approximately a year ago, and even less than a year ago, is appropriate now, and that the changes that were then effectuated----

MR. BLOUSTEIN: What changes were made?

MR. FELTON: We created a buffer zone known as E.

MR. BLOUSTEIN: What changes were made in the proposal?

MR. FELTON: It is converted from D-1 to R-3. It is the point of my request, that the D-1 area be changed to R-5, since I understand that it is a comparable classification.

CHAIRMAN FELT: In other words, as the vice-chairman alluded to this point from your remarks, this agreement was reached in this case about a year ago?

MR. FELTON: Yes, sir.

Bloustein/M.Felton/Felt

CHAIRMAN FELT: You are telling us that one of the component parts of the land involved in that agreement was D-1; is that right?

MR. FELTON: Yes, sir.

CHAIRMAN FELT: Is it now an R-3 zone and you feel that an appropriate counterpart of ~~D~~-1 should be R-5; is that correct?

MR. FELTON: Its counterpart should be---

CHAIRMAN FELT: Should it be R-5?

MR. FELTON: Yes, sir.

CHAIRMAN FELT: Are you referring to that point?

MR. FELTON: All I do know is that you gentlemen wouldn't want me to go into the merits of it in view of the fact that we have had extensive hearings on this same subject.

CHAIRMAN FELT: I think that whatever had been determined was determined on the basis of weighing the equities of the entire situation thereof, and now you feel

that the new zone should relate to what had been determined and a change to an R-5 would be more appropriate than an R-3 Zone; is that correct?

MR. FELTON: Yes, sir; now, I will switch to my next item which deals with another area.

We represent Astoria Holding Corporation which owns a substantial area in the area bounded by Ralph Avenue, Island Avenue, Avenue T, Paerdegat Basin, and, if Mr. Chairman prefers I will read off the blocks that we own, but if not, I will say we own approximately 50% of the area.

CHAIRMAN FELT: I would prefer that you read off the area.

MR. FELTON: Yes, sir this area that we own is, as I said, probably more than 50 years old and has been acquired by my client over a period of years through an individual purchaser from the City of New York. The area that they don't own is owned in a large measure by the City of New York. There are other individual owners but we are the -- we own at least, a 50% of this area. Our request follows:

First, we ask that the area bounded by East

66th Street, Avenue M, 69th Street, and Ralph Avenue, be rezoned C-1, to permit a shopping center, and ask that the balance of this area in question be rezoned R-5 to permit row houses.

CHAIRMAN FELT: Would you repeat the boundaries where you request a C-1 Zone to be?

MR. FELTON: East 69th Street, Avenue M, East 66th Street and Ralph Avenue.

CHAIRMAN FELT: That is two blocks away from the A & P; is that right?

MR. FELTON: I will tell you in just a moment. It is about 700 feet away.

CHAIRMAN FELT: All right.

MR. FELTON: Of course, I might indicate that Ralph Avenue, at the present time, is now zoned for business for a depth of 100 feet.

MR. BLOUSTEIN: The whole frontage down to Avenue M; is that what you mean?

MR. FELTON: Yes.

MR. BLOUSTEIN: Of course, if I recall --

CHAIRMAN FELT: If I recall, there are some foundations going in for new houses now; is that correct?

MR. FELTON: Not on our side.

CHAIRMAN FELT: Not on your side?

MR. FELTON: Yes, sir; on the other side.

I indicated that the balance of the area we are requesting should be R-5. The C-1 area, the request for the C-1 area might at first appear to be a large area for retail purposes. However, it is our intention to develop a shopping center in this area, with a ratio of parking of 3 to 1 off-street parking with that ratio. We feel that if this area was developed as a shopping center, we would have the support that is required in the immediate and adjacent and surrounding areas.

Our client, in acquiring this property, would already be in construction with row houses, as you indicated.

Mr. Commissioner, there are row houses being built not only on the other side of Ralph Avenue, which you highlighted but practically on all of the perimeters of this area in question; and around Island Avenue. It is, in effect an

M. Felton, Felt

extension of the nature of how this area is being developed that we are now asking. We think it would be appropriate zoning to permit row houses. I don't think that you gentlemen want me to go into the subject of row houses. We have done this time and time again and I think it would be an imposition on the Commission to try to take your time to explain the subject of row houses.

I am sure you are all cognizant of the status and the facts in this connection. We were advised to wait until this hearing was in progress with the application for the new zoning to make our application for row houses. Indeed, we would have done it months ago and maybe a year ago. Based upon my client's building program, we are already building and we are able to go into it immediately and start construction and build up this area in an R-5 district.

We respectfully request this commission to give us --- my client wishes me to highlight the facts; after reviewing the merits of the shopping center, he wants you to consider the facts that the boundaries, by necessity -- that the entire area must gravitate toward Ralph Avenue and that the proposed shopping center in question would make sense. We respectfully request that you give this matter due consideration.

M. Felton

CHAIRMAN FELT: Thank you very much.

MR. WHEELER: Mr. Felt, and Members of this Planning Commission, my name is A. J. Wheeler. My firm is located at 177 Montague Street, Brooklyn. I am representing the Brooklyn Union Gas Company and, representing the company on zoning matters for more than 25 years, I can say from knowledge and personal experience that the Planning Commission has been very cooperative and fair in solving the zoning problems of the Brooklyn Union Gas Company with respect to the location of its stations. The company's franchise area is a large part of Queens, all of Brooklyn and all of the Borough of Richmond. Of the 42 separately owned parcels belonging to the company, all but six have been fairly treated, and we can continue operation under the use for which the properties were purchased and are presently used.

Of the six parcels which are seriously affected by the proposed comprehensive amendment, all of them are in Brooklyn and they are designated as holder, storage and pumping facilities. They have been in existence prior to

Felt/A.J. Wheeler

the institution of the zoning resolution of the City of New York. As Brooklyn and Queens grew, the design and distribution system was built from these focal locations of storage, manufacturing and pumping stations.

Up to this moment, they were zoned in an unrestricted area. If they are now being legislated or zoned out of existence, there will be more than a half a million people without gas; that is how serious the situation is with respect to the distribution system of Brooklyn Union Gas Company.

CHAIRMAN FELT: Did you discuss these items with us?

MR. WHEELER: In a preliminary way, we had consultations with the officers and engineers of the gas company, and I prepared a formal objection. There are more than ten copies in your possession which were filed on March 11th. Sir, when it comes time for you to examine the statement in the objection, if there is any further question or data that the Commission or yourself would like to have, I would be very happy to obtain them from the chief engineer and his staff in order to discuss the matter further with you so that we may continue business and fulfill the orders of the Public Service Commission.

Felt/Wheeler

CHAIRMAN FELT: Mr. Wheeler, when you began speaking you stated that the Brooklyn Gas Company, which operates in Richmond, Queens and Brooklyn, has some 42 parcels of property and based upon your mapping and the zoning ordinance, in general, 36 of those 42 parcels would be able to operate as they have been.

MR. WHEELER: Yes, sir.

CHAIRMAN FELT: In other words, there are only six parcels that have been zoned in a manner which would not permit you to operate; is that correct?

MR. WHEELER: That's correct.

CHAIRMAN FELT: Can you describe the discrepancies between the zoning designations and the zoning requirements? Is it a case of an M-1 zone changed to an M-3 zone or situations of that sort?

MR. WHEELER: That's right.

CHAIRMAN FELT: I assume that we have zoned these six parcels, M-1 or M-2; is that true?

MR. WHEELER: That's all set forth in detail.

CHAIRMAN FELT: Is that what it amounts to, Mr. Wheeler?

Wheeler/Felt

MR. WHEELER: That's right.

CHAIRMAN FELT: It is zoned M-1 or M-2 and you feel that it probably should be M-2 or M-3; is that right?

MR. WHEELER: That's right.

CHAIRMAN FELT: More likely, you would prefer to have it zoned M-3 rather than M-2; is that right?

MR. WHEELER: That's right.

MR. FELT: In other words, what you are saying is that we have forced you out of business by zoning those particular areas as non-manufacturing districts.

MR. WHEELER: Most of them are pumping facilities that supply gas to districts through governor stations and, as I said, over the period of the last 50 years, a great distribution and transmission system has been built up out of these specific locations.

CHAIRMAN FELT: Mr. Wheeler, do you know --

MR. WHEELER: There is nothing in the foreseeable future as far as the engineers of the gas industry are concerned that will change the situation although I can't

look into a crystal ball.

CHAIRMAN FELT: Do you feel that we can do something to resolve these differences?

MR. WHEELER: I certainly do feel that we can do something about it, and we should sit down and discuss this matter.

EDGAR SCHWARTZ: Mr. Chairman and Members of the Planning Commission, my name is Edgar Schwartz and I am one of the owners of the Willner Drug Shop located at 1725 Foster Avenue, in Brooklyn.

I am here as spokesman for myself and I am referring to the merchants on that block. Now, they all signed a petition, which I am submitting for the record.

Again, I have learned since the petition was written that the entire length of the block is only 100 feet or approximately 200 feet long. I believe my store is only 20 feet deep. Now, immediately behind me there is a store and there is going to be built from what I understand, an apartment house right up to the back of it. There really is no room for anything to be built on this land; it is a very shallow and very short block, and there is nothing that

can be gotten out of the business if it was replaced with residential dwellings. Most of it can be done with a few one- or two-family dwellings consisting of merchants as well as landlords. By the way, the landlords are all represented here and the attorney for one of the landlords is here and he would like to speak. A vast majority of the residents of that community feel that an available shopping area is more essential to this community than any possible residential housing that can be built on this small site. Now I do believe it should happen here. Thank you.

CHAIRMAN FELT: Do some of the other representatives desire to speak?

MR. SCHWARTZ: I believe they do. Thank you, Mr. Chairman.

MR. FLOOD: Mr. Chairman, Members of the Planning Commission, the only thing I would like to bring out is that this block between East 17th Street and East 18th Street is Foster Avenue, and it is the only shopping center from Flatbush Avenue to East 15th Street; it is only for shopping. I believe between Avenue H and Cortelyou Road there is a tremendous area and since the area has grown tremendously, at least 6, and in some cases, as much as 8

or 10 private houses have been torn down. Luckily, the apartment buildings have been built within the last few years and there are more being built. It is needed for the shopping area. Construction has increased tremendously and to take it away by rezoning for residential, nothing could be built on it. I think it would be a crime for the people who reside there.

CHAIRMAN FELT: We will be happy to consider the matter.

MR. FLOOD: May I call Mr. Merkle, the attorney for the landlord?

CHAIRMAN FELT: You can call anybody that you desire.

MR. MERKLE: Mr. Chairman and Members of the Planning Commission, I will not take up too much of your time. My name is Alfred Merkle of 11 Park Place, New York. I reside at 1609 Albemarle Road. The reason I mention my residence is because I have been a resident of Flatbush for over 50 years and I am thoroughly acquainted with this neighborhood

Many years ago it was my privilege to represent this district of Flatbush area in the Assembly and I was elected on the Republican ticket but, as you know, the Republicans are no longer in office in this district. There have been

one-family houses and two-family houses and apartment houses in this area, and these apartment houses are throughout Flatbush, including the surrounding area. However, this particular block, on all sides of Foster Avenue between East 17th Street and East 18th Street, has not been changed one iota. Our property, which extends from 1717 to 1725 Foster Avenue, is also owned by me and my mother. As Mr. Schwartz has said, the status of that neighborhood has been the same for 30 years. Part of that block was built 50 years ago and he also said that the property is adaptable to a modern apartment house. It is 20 feet on East 18th Street, setting off to possibly 100 feet East 17th Street and we are solid here. The landlord and the merchants are solidly opposed to the property change from a business section to a residential section.

CHAIRMAN FELT: Will you send me a memorandum which will include all the remarks that you made today?

MR. MERKLE: May I have some time in order to prepare my brief?

CHAIRMAN FELT: Yes.

Felt/ Merkle

MR. MERKLE: Until what time do I have to do it?

CHAIRMAN FELT: You can do it within the next ten days.

MR. MERKLE: Very well, and thank you very much.

CHAIRMAN FELT: Is there anyone else who would like to speak in connection with this area that Mr. Merkle talked about.

I assume that covers Mr. Schwartz' talk.

Mr. Schwartz, do you have anyone else that you would like to introduce?

MR. SCHWARTZ: No, sir.

CHAIRMAN FELT: Is Mr. Joseph Goldstein present?

MR. GOLDSTEIN: Mr. Chairman and Members of this Planning Commission, my name is Joseph H. Goldstein. I am an attorney and I represent the Coney Island Chamber of Commerce and several other owners in the amusement area of this community. I should like first to call your attention  
Merkle/Felt/Schwartz/Goldstein

to the boardwalk between West 18th Street and West 24th Street. It is presently in a different district and that district extends southward starting from 200 feet, I believe from the boardwalk down to the proposed bulk headline on the beach. It has been in that district for a great many number of years. Back in 1953, this Commission attempted to place this area in a somewhat similar category as the proposed plan.

CHAIRMAN FELT: What does the present proposal indicate with respect to that particular area?

MR. GOLDSTEIN: The proposed plan is a C-7, an amusement area, but, with respect to that, in principle we have no objection and we also believe that it requires some clarification. However, what we do object to is the fact that our area was formerly a business area, or, at least, our present business area runs, as I said, forward to the proposed bulk headline.

The present plan proposes that the so-called commercial amusement district run to the center, and that is the width of the center, the width of the boardwalk, and, from there, southward. The plan proposes to put the southerly part of the boardwalk southward again and

the proposed bulkhead line in a residential district, such as I said a moment ago, back to where it was in 1953, and the Board of Estimates rejected this and placed it in the present amusement district.

Now, it seems to us that Coney Island ---

CHAIRMAN FELT: In other words, that would be the ocean side of the boardwalk; is that correct?

MR. GOLDSTEIN: Precisely.

CHAIRMAN FELT: Is the ocean side of the boardwalk now being used for commercial business?

MR. GOLDSTEIN: It is in a business district.

CHAIRMAN FELT: It is in the business district and the present zoning ordinance states that the ocean side of the boardwalk is not to be used for amusement park purposes or commercial purposes; is that correct?

MR. GOLDSTEIN: The present plan?

CHAIRMAN FELT: Yes.

MR. GOLDSTEIN: It is to take that

Felt/Goldstein

business area, let's say half of it, starting from the middle of the boardwalk to where the line runs.

CHAIRMAN FELT: Are you referring to the center line?

MR. GOLDSTEIN: It is the center line of the boardwalk, way down to the so-called bulkhead that cuts half of the boardwalk and naturally goes down to the water line.

CHAIRMAN FELT: Immediately to the water line, is that it?

MR. GOLDSTEIN: Yes. We feel that it will not only be harmful to the community as a summer resort but we feel, and I think we convinced the Board of Estimates of this six years ago, that it would be harmful to the city at large.

CHAIRMAN FELT: I would like to explain something to you. When the City rezones an area of park land, under the proposed zoning ordinance it is <sup>made</sup> / residence; is that right?

Mr. Smith, when we proposed to zone the area from the center line of the boardwalk toward the waterfront

as R-5, it was not because there was any exchange or indication on the part of the Commission to designate it as residential use on the far side of the boardwalk, but merely to place it in a semi-category such as a park area; is that right, Mr. Hoffman?

MR. HOFFMAN: Yes.

CHAIRMAN FELT: Of course, the Park Department can, if it wishes, permit certain types of uses which are categorized as accessory uses to a park. In other words, we do not want you to interpret this on the basis of anything that we planned for housing on the ocean side of the boardwalk. What we did was to zone it in the semi-manner that we zone park areas.

MR. GOLDSTEIN: Mr. Chairman, that same argument was presented to us in 1953, but frankly, the residents of Coney Island, including myself, are skeptical whenever we see that category being placed in that area, taking half of the boardwalk down to the beach line and placing it in the residential area.

CHAIRMAN FELT: What would you suggest? If it were placed in the commercial area, it would mean

that both sides of the boardwalk could be lined up with commercial buildings or amusement buildings.

MR. GOLDSTEIN: Of course, there would be no view of the boardwalk and you wouldn't want that anyway.

You said that the Park Department under the City Charter now regulates that area, and there is no reason for this attempt to put this in the so-called residential area; that is as plain as you can put it. The Commission is attempting to do the same thing. I don't want to repeat myself, but frankly, we don't like the idea of having this on the map as a residential area. What you have just pictured is impossible in view of the fact that it is Park Department property, so why change the zone.

CHAIRMAN FELT: Mr. Goldstein, allow me to explain it to you. We can attempt an arrangement regardless of what the district may be called. Your primary concern is to make sure that the ocean side of the boardwalk is controlled by the Park Department; is that correct?

Felt/Goldstein

MR. GOLDSTEIN: I mean not that it is controlled by the Park Department, but not to put that in a so-called residential area. As a result of that, we would be on the adjoining line of that designation, not by reason of the fact that the Park Department controls it. However, because of that, there may not be any recognition of a residential area even though it is a residential district. Today, we feel afraid of putting it in a residential area and frankly, we feel that on some future date we may find ourselves in trouble.

CHAIRMAN FELT: Do you mean the other side, Mr. Goldstein?

MR. GOLDSTEIN: On the other side, precisely.

CHAIRMAN FELT: In other words, that was your basic point in the past?

MR. GOLDSTEIN: Precisely, and the Board of Estimates went along with this because we pointed out the same thing to them. Mr. Chairman, as you pointed out to me and I in turn pointed out to you, and repeated to the Commission, that the Park Department

under the Charter controls that portion that you are now attempting to put in a residential area by reason of the fact that it admittedly is Park Department property, so there can't be any buildings put up there even though we live in the amusement area. We live in the business area and that is what it is today, and we are simply asking that we be allotted that as the Board gave it to us in 1953 so that we won't be confronted with that possibility. Bob Moses, the Commissioner of the Park Department always felt that sooner or later he would have to come down on various occasions to look at the Aquarium. However, he always took particular notice of the situation and gave us the impression that sooner or later there may not be a Coney Island and we have always been afraid of that because of the possibility of zone changes.

CHAIRMAN FELT: Well, we will be mindful of your point here.

MR. GOLDSTEIN: We can only say that C-7, the new classification for so-called commercial amusement definitely requires some sort of clarification.

Mr. Chairman, I know that nobody on this Board

or the Commission would want to destroy that asset that we have. I think that Coney Island is one of the greatest physical assets the City can boast of, no matter what Commissioner Moses may say, and we feel that we draw millions of people down there and they don't come down just to look at the buildings; they come down to enjoy themselves on the rides, they come down to enjoy the beach, they come to enjoy the scenery of the place and the other things that they like to see every year. They come to Coney Island to enjoy the cotton candy, the boardwalk and we don't want it to be destroyed. I'm sure you gentlemen don't want to do that either. It is very valuable to us, and to have that property would make some of you gentlemen -- I am sure you would not want to destroy our amusement park at Coney Island.

I represent two owners down there. Their property back along the boardwalk is an asset worth over \$600,000.00; that is, two parcels, and they run from Fifth Street to 23rd Street or 24th Street and the new line runs there. I just want to direct my remarks to one other parcel. It appears to be an outrageous situation.

Goldstein

CHAIRMAN FELT: Your first remarks relate merely to the zoning designation of the ocean side of the boardwalk; is that right?

MR. GOLDSTEIN: Precisely.

CHAIRMAN FELT: Mr. Goldstein, you are now coming to your second point; is that right?

MR. GOLDSTEIN: I am coming to another parcel and that is the one that is on the north side of 7th Avenue between West 5th Street and West 8th Street; that, too, was a matter of an attempt to change the zoning back in 1953 to a residential area and, at that time, it was put back into the present district. This is one more parcel that the Commission is attempting to change from a business zone into a residential zone.

Now, this is a situation that amounts to an act of confiscation of real property whereby part of it the city will benefit from, and due to the fact that it is unsuited for any residential purposes. Immediately in back of the parcel, back of Brighton Avenue, or you just as well might call it Coney Island since it is sufficiently muddy in back of it --- and your old map

Felt/Goldstein

Indicates that there is a double structure, and the rumble and the noise of the train which runs 24 hours a day at those parcels, and this makes it extremely unsuitable for living. You can take any block and if you put that in a residential area as it is being attempted by the proposed plan, I would say that the location of the property would be unsuitable for residential zoning; it should be left as a business zone as it is today. I just have this in my closing remarks that I would like to say.

CHAIRMAN FELT: The area you are referring to is between West 5th and West 8th Streets; is that correct?

MR. GOLDSTEIN: Between 5th and 8th on the north side and you are attempting to put it in a residential area. May I say this: that we would like very much to meet with the Commission or the Commissioner for the purpose of getting some explanation. I haven't gone into that C-7 classification as it is defined in the pamphlet; it is something for us to worry about. It relates to the amusement park.

CHAIRMAN FELT: We understand your great concern in this matter and we will definitely discuss it with you, Mr. Goldstein.

MR. GOLDSTEIN: We would appreciate that privilege and courtesy.

CHAIRMAN FELT: I think we only have a few C-7 designations in the entire city.

MR. GOLDSTEIN: Oh, yes. We will have about two or three people coming up; may I arrange for that?

CHAIRMAN FELT: Yes. Mr. Smith will arrange the meeting with you.

MR. GOLDSTEIN: May I ask that you express indulgence and listen to Mr. Fein.

CHAIRMAN FELT: We will be delighted to listen to Mr. Fein's remarks.

MR. FEIN: Mr. Chairman and gentlemen of the Planning Commission, I am now speaking ---

CHAIRMAN FELT: May we have your name  
Felt/Goldstein/Fein

for the record?

MR. FEIN: My name is I. H. Fein.

I am speaking now from 50 years of experience in civic work and other phases of planning in Coney Island. This Park Commission's proposal would devise a boardwalk on the north side, leaving it as a business zone or a new C-7 zone and the south side of the boardwalk to the railing, facing on the south end of the boardwalk is to be put in a residential area. Gentlemen, all I can say is that in our past experience we have had plenty of non-cooperation from the Park Department. This matter is an open book and nothing is a secret, and Commissioner Moses made the same remark when he came down and opened the aquarium - that it is nothing but a honky-tonk and that within five years it will go out of business.

We cater to fifty million people a year and, as an example, when I was on the committee, I appeared before the Board of Estimates at the last hearing when they attempted to zone the boardwalk for residential purposes; we opposed it and the Board of Estimates unanimously rejected it. Commissioner Moses and the

Fein

Park Department proposal zoned the boardwalk to be residential.

Now, the point of residential zoning is this: In my opinion, it continues as a residential section; the entire front of the boardwalk running from 8th Street to 25th Street is upgraded by all types of amusement businesses, many of which being Coney Island, are open air places. This was discussed when the Park Department rezoned it in 1953 as residential purpose. They wanted to protect us by prohibiting light manufacturers on the boardwalk. We pointed out for fifty years that there has been no light manufacturing on the boardwalk, and as far as we know, the only thing they wanted to prohibit was the close residential sections. There are some candy stands and some other businesses that manufacture light stuff, selling these types of products, and these businesses would be prohibited. The persons who are running or operating their business will be affected by the residential zoning, prohibiting them from operating as open front business. This type of business must be operated in this manner in such an open air resort like Coney Island, or they will be put under very heavy restrictions which will probably cause them

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to create the premises and cause a great loss of property value.

Now, the north side of Coney Island boardwalk is upgraded by many substantial businessmen who have been in business for many, many years, and they have operated out of doors for many years.

The out of door business is lucrative only for six months and all of these stores own and maintain these buildings. They pay great amounts in taxes, as well. I know there is many pieces of property north of Coney Island and the boardwalk which are attractive and that one of the owners has been assessed for \$780,000.00. We pay about \$35,000.00 in taxes plus other things that we have to pay, in addition. On numerous occasions we requested the Park Department to cooperate with us in solving problems that we have had in Coney Island and we wanted to meet with them many times through the years, and since 1917, we have made proposals and increased our requests for the committee meetings with them and were rejected continuously. I can give you a specific example as to what the Park Department's attitude was. I have no personal feeling about them. I am just telling you

what our experience has been.

CHAIRMAN FELT: Is that relevant to this particular hearing?

MR. FEIN: I can't hear you.

CHAIRMAN FELT: In other words, would that effect your zoning area?

MR. FEIN: Yes, because if they control the boardwalk they can place so many restrictions against the businesses there that the business could not operate the way they do now. Since 1953 they have had no problems on the boardwalk. There have been no complaints and no trouble. Now, they are attempting to encroach upon us through another action. I want to give you this example. Each year we have been sponsored by the United States Armed Forces including the United States Air Force and they usually put on a show at Coney Island and it draws a lot of people. Permit me to say that it draws a lot of people, as I said, because at least 1,500,000 people have attended these shows. The Chamber of Commerce cleared the course in order to promote the air show. The United States Navy gave an

exhibition of precise maneuvering which had to be explained to the public. In other words, what the maneuver was going to be; what it would consist of, and they maneuvered in close formation in an effort to make a good show, and because of this terrific show everybody came to Coney Island Park. When we applied to the Park Department for permission to erect a public address system a block or two on each side so they can explain the maneuver the Park Department refused this set up year after year, but through the efforts of the United States Navy and finally through investigations by Mayor Wagner, we were permitted to put up those address systems. This is just to give you an idea of what we have been up against.

In my opinion, the area to the south of the boardwalk, as I understand, is within the restriction and it is residential. Now, we have to be sure about this; -- I understand there is about 200 to 250 feet in that residential section. Now, the beach is not in my opinion really a residential section nor created for that purpose. I would say that it is not comparable to Prospect Park or Central Park, where, perhaps it is out of the jurisdiction either way, and they protect the residential sections. Therefore, in my opinion the Park Department

may defeat their own purpose. For this reason, they operated even permitting peddlers to sell their ice cream in the last few years. If they cannot control half of that boardwalk in order to harass the property owners by sending those peddlers off the boardwalk, that is one thing I don't think they would do, and they have the nerve to do this. But, it could be possible that they have adopted this over the years and they have never had their cooperation.

Every other city official including the Planning Board have met with these businessmen and they have been sympathetic to our problems; they have tried to iron problems out to see if they can help us out.

I strenuously object to this zoning being changed from the old land of the boardwalk, in the middle of the boardwalk to be eliminated. The C-7 creation covers our needs but we are not positive as to whether the businesses or amusement establishments along there are concerned, so we in Coney Island should have this type of coverage. Coney Island is known area all over the world. Even in China they are selling Coney Island hot dogs because Coney Island is one of the showcases of the United States; it is one of our assets and there

is no reason why any City Department should try to do anything that would hurt them. We are proud of this country. The middle income and the low income groups encompass the people who don't have automobiles, who don't have the means to go to Jones Beach, so they come down and they see free shows and they buy franks and the carfare is very cheap. There is no compulsory charge at Coney Island and this should be maintained because we have no other place for people to do or go but doing what we are doing and should do for the benefit of the public.

I ask that this matter be put over so that we can iron out all of our problems with the Planning Commission. I think we ought to get together and straighten out these things because it is detrimental not only to our business but to the country, to Coney Island and to the public, in general.

CHAIRMAN FELT: Thank you very much.

MISS WOLLMAN: My name is Miss Wollman. I am one of the property owners on East 18th Street between Avenue Y and Avenue Z, and part of this block is zoned C8-1 and it is being used for a laundry. My name is Dora Wollman and my address is 2547 East 18th Street.

This laundry is a commercial laundry. It washes restaurant supplies. It is a steamship laundry also. This laundry has conducted its work at the price of being very detrimental to the neighborhood. It's sort of a laundry on the street, and this block is bounded by two schools, P.S. 254 on East 18th Street and Avenue Y, and St. Marks Parochial School on East 18th Street and Avenue Z.

In order to go to school, the children have to walk past the dirty laundry as they always do, because the laundry is on the street and it is rather disgusting. Only last week we had to call the Police Department because my son had to walk through the rain and slush residue which was on the ground; he had to walk in the middle of the street in order to pass to go to school. I felt very bad about it. In P.S. 254, only small children are in there, up until the 6th grade. The condition of the sidewalk is so bad, that I had to call the Police Department. By the time the police came, the children had already gone in the middle of the street. Now, this is something that is going on all the time and I have called the Police Department various times. As a matter of fact, I went to the Municipal Building and filed a complaint because they

have expanded within the last year and they have been making a lot of foam on the street, and there are trucks going in and out constantly at all times of the night. I believe that this area which is 280 feet should be made into a completely residential street so that children don't have to pass the laundry in order to go to school; it should always be zoned residential.

CHAIRMAN FELT: In other words, the block on which the laundry is located should be zoned residential; is that what you mean?

MISS WOLLMAN: It is a part of the block and the rest of the block is residential; where I live it is residential but there is 280 feet to the corner of East 18th Street.

CHAIRMAN FELT: Even if that portion is zoned residential, the laundry would have a right to remain there, because they have been established in that vicinity, for 25 years.

In other words, there is nothing in the zoning ordinance to say that they should not be there.

MISS WOLLMAN: Every time I called the

Police Department they said that it is a business area; that they have to conduct their business on the sidewalk. They do most of their work on the sidewalk, and each time it is getting worse. They have been doing more business and they never do it any other place but on the sidewalk and I hope that this matter can be taken care of.

CHAIRMAN FELT: What we are trying to do in this Zoning Resolution is to make sure that 25 years from now our children will be spared this type of inconvenience.

MISS WOLLMAN: That's not too much of a comfort.

CHAIRMAN FELT: Miss Wollman, we are planning now so we will not experience the same type of torment that we are confronted with today, but we cannot create a zoning resolution which would be on a basis of fairness or equity if we stop the laundry from doing their business.

MISS WOLLMAN: I don't mind them doing business in the building, but they don't have to do

it out on the street. They have piles of laundry, and when I filed the complaint I attached two pictures with it showing their type of operation.

CHAIRMAN FELT: Thank you very much, Mr. Wollman.

Mr. Blumenthal will be our next speaker.

MR. BLUMENTHAL: Mr. Chairman and gentlemen of this Board, my name is E. M. Blumenthal with offices at 165 Broadway, New York. I am a member of this firm of Blumenthal and Somers and we represent the Dean Street Realty Corporation of 144 Dean Street, and that is in Section 1, Block 198 and it covers lots 8, 11, 15, 17 and 18. This property is now occupied by the Freeport Company but they are the same people as the Dean Street Realty Corporation. It is an affiliate, and they have been in business in this location for over 65 years.

CHAIRMAN FELT: What type of business are they engaged in?

MR. BLUMENTHAL: They manufacture metal stamps and they do a great proportion of government

Wollman/Felt/Blumenthal

work. The property is presently assessed for \$173,000.00.

CHAIRMAN FELT: Between which two streets is this property located?

MR. BLUMENTHAL: It is on the corner of 3rd Avenue and Dean Street.

CHAIRMAN FELT: Is it 3rd Avenue?

MR. BLUMENTHAL: Yes, and Dean Street. The present assessment is \$173,000.00 but including the expensive machinery and equipment it is probably a \$500,000.00 investment.

We employ approximately 125 to 150 people and these people live in the same neighborhood. I think it is obvious that if a 25-year---

CHAIRMAN FELT: What is the zoning designation for that area?

MR. BLUMENTHAL: The zoning for that business is industrial zoning.

CHAIRMAN FELT: Is it unrestricted?

Felt/Blumenthal

MR. BLUMENTHAL: It is unrestricted.

CHAIRMAN FELT: What is the proposed zoning designation?

MR. BLUMENTHAL: It is for a residential area.

CHAIRMAN FELT: What are you manufacturing?

MR. BLUMENTHAL: We are on all four corners I didn't hear that.

CHAIRMAN FELT: You are engaged in manufacturing and under the proposed ordinance you would have to discontinue your operations after 25 years. You are directing yourself to that point; is that correct?

MR. BLUMENTHAL: Yes. The property is presently owned free and clear and we have been contemplating raising a mortgage on that in order to be able to continue. I don't think any lending institution would raise any kind of mortgage on this property, and I believe that if we wanted to sell, it would be impossible to get a fair price with such a

change.

It seems to me that under the circumstances, to have our property dissolved through due process -- there have been zoning changes in similar situations such as in New Jersey, where the resolution provided that the zoning change would take effect only when and if the proper use of the property was abandoned. If it is to be terminated for a given period, say five years, if they don't use it for that purpose, then the zoning is put into effect. However, to take it away at the end of 25 years would be destructive; and I therefore strenuously oppose such a resolution.

CHAIRMAN FELT: Mr. Blumenthal, we will check into that matter. Do you have a brief or memorandum?

MR. BLUMENTHAL: I wrote a letter which I think was sent by special delivery. I don't suppose you had a chance to see it.

CHAIRMAN FELT: Was that letter sent recently?

MR. BLUMENTHAL: It should have been received this morning.

CHAIRMAN FELT: We will look into the matter, but we would also appreciate your submitting a memorandum within ten days if you think you can add to your letter anything with respect to the remarks you made today.

MR. BLUMENTHAL: The only thing I would like to add is about that industrial area.

CHAIRMAN FELT: If you think that should be added to your memorandum, please send it to us. Please do that within ten days and, if you could, send it tomorrow. In other words, if you send it sooner, it will be better.

MR. BLUMENTHAL: All right. Thank you.

HARRY BRAM : Mr. Chairman and members of the Planning Commission. I have very little to say but I'll say it. After listening to previous speakers it becomes a problem to know what to say. Many people like the proposed resolution and then go on to dislike certain zoning which affects them so they ask for changes for themselves. Others dislike the proposed resolution and likewise go on to ask for changes to suit them. Those people who have their nests well-feathered are very content. Such persons are waiting to pick up the pieces. Therefore, you can hardly blame our position.

CHAIRMAN FELT: What do you mean, "pick up the pieces", so I'll know what you have in mind?

MR. BRAM: Well, some people own small pieces of land, very small pieces of land, and they may be between houses. They can't do anything with that property except go to an adjacent owner and say, "Please take this off my hands". You're a broker - you should really know what I mean. If the opposition were to get what they want, they would be satisfied, would have nothing to oppose - which means, all in all, gentlemen, you have a hard nut to crack, and I don't envy your job. I have a couple of requests to make: At the east side of Lincoln Avenue, in the East New York section of Brooklyn, just north of Linden Boulevard, there is a railroad repair shop and yard. The area just west of this yard is presently zoned Residential "D". The proposed zoning is R-3. It is my opinion the area west from Lincoln Avenue to at least Autumn Avenue should be given an "M" zoning, or at least a Commercial zoning. Also, a small irregular four-corner block, totalling about 15,600 square feet, between New Lots Avenue, Dumont Avenue, Milford Street and Logan Street, presently zoned Local Retail, was first proposed for Commercial use,

equivalent to its present zoning. In the present proposed zoning, it calls for R-5. I'd like to request, although I have submitted a request, that that be changed to a business zoning - at least equivalent to the present zoning. It definitely is not suitable for the zoning that is proposed.

CHAIRMAN FELT: Mr. Bram, have you sent a memorandum to us?

MR. BRAM: Well, I called at your office and spoke to someone and he suggested that I speak here, if possible. I did leave a memo with a diagram. I did also want to mention that there have been lots of statements made against speculators. I shudder to really mention such a filthy word. However, since it is a person's prerogative to speculate just like it is one's right to have a house, an apartment or a business, I don't feel that speculation is such a terrible thing in our way of life. But, it has been called something terrible. I have here a brochure, for example, which is available at the Real Estate Department of the City of New York. They have a sale in the next couple of days, about 400-odd pieces of land. And truly, there is approximately more than 33 and 1/3 percent of those pieces which comes to about anywhere from 1 inch, I believe, to 25 feet by 100 feet. Just think of it. Here, the City of New York is selling it to people who aren't coming here. Really, everybody doesn't understand everything. They become the owners of these things. It's their right to do that, and yet, if this thing affects them, they're getting a cat in the bag. I, personally, don't envy your jobs, gentlemen. Try to figure it out as well as possible. Thank you.

CHAIRMAN FELT: Thank you, Mr. Bram.

OSCAR GINBERG : My name is Oscar Ginberg. I am a real estate broker. However, in this particular instance, this is a parcel of land in Block 5026, which is on the west side of Flatbush Avenue between Westbury Court and it runs back to the Brighton tracks. That's Map 16-D. Most of the parcels on Flatbush Avenue are zoned C-1; on your rezoning proposal you're lopping off a matter of about 160 feet from the C zone and making it R-5 or R-7 zone. There are only two or three parcels in this particular area ...

CHAIRMAN FELT: Your land runs from Flatbush Avenue to the tracks - between what streets?

MR. GINBERG: North of Westbury Court - the map of 16-D will show that. Now, up further, there is another lot which is used for parking now; and up further there is the Patio Theatre, which has a large parking lot on which is proposed some 16-story high-rise buildings. Now, with the elimination of the parking up in that section, the need for parking will grow greater and, for that reason, we would like to retain that C-1 zoning, which is a Retail zoning now.

Now, I have another area here.

CHAIRMAN FELT: When you conclude your remarks, would you mind filling out a sheet which will be handed to you, which will indicate what the proposed zoning is and what you request.

MR. GINBERG: I'll do that. Well, in the first matter - I would like to have that retained as C-1 or whatever classification that would be, because this cuts off from 100 feet west of Flatbush Avenue, this area which is now zoned C-1. In other words, it is made R-5 or R-7. That might be a better use for it at the present time. I mean the use should be Commercial. Then there is something else here in Block 1389, which is on Map 17-A, which is on the east side of

Troy Avenue directly north of Eastern Parkway, on the corner of Lincoln Place. In that area, there are stores now zoned C-1, running parallel to Troy Avenue on Kingston and Schenectady, and so on. Out of all these areas, all these blocks, rather, this small section which is only 25 feet deep has been lopped off and made into a residential zone. So, in conforming with the area, I believe this should be C-1 Zoning. I think if you examine the map, you will see what I have reference to. As you look along those avenues, going up Troy Avenue or Albany Avenue or Schenectady Avenue, the retail zones run continually and up. This particular block has been picked out as the only block, the only corner, which has been made residential.

CHAIRMAN FELT: We will look into both of the items you speak of. Thank you, Mr. Ginzberg. Is Mr. Swarmer present?

ELWOOD SWARMER : My name is Elwood Swarmer. I am Executive Director of the Downtown Area Renewal Effort. I'd like to read a statement which was approved by our membership regarding this proposal:

"The Downtown Area Renewal Effort is an Association of 52 organizations joined together to encourage the renewal and rehabilitation of 158 blocks in downtown Brooklyn. This area is adjacent to the Civic Center and Fulton Street shopping center and bounded generally by Union Street, Hicks Street, Livingston Street, Fulton Street and Sixth Avenue. We have reviewed the proposed zoning ordinance now before your Commission and we strongly urge the adoption of this ordinance. We claim no expertness in the field of zoning and do not address ourselves to technical changes or arguments that may be desirable or necessary. It is our belief, however, that this proposed ordinance, in general, would be of great value to encourage

the rehabilitation of our area or other areas similarly depressed. It has been our observation that overpopulation and pre-existing use variances constitute two of the greatest barriers to our work. We cannot successfully encourage rehabilitation or rebuilding in locations where the overload of population on capacities and community facilities has made the location unattractive for modern residential improvement. Similarly, locations with mixed residential, commercial, and industrial uses we find to be unattractive to all classes of use. This new zoning proposal would encourage the eventual solution of these problems and therefore must have our full support.

We have not completed our study of specific zoning maps of our area but we can state at this time that we have no general objections and believe that, in general, the proposed maps will aid in our plans and hopes for rehabilitation of the downtown area. Our specific study is from the viewpoint of rehabilitation of the area and any comments or suggestions that we may feel are necessary after our study, we will submit to the Commission at a later date.

CHAIRMAN FELLE: Thank you, sir. Are there any others who wish to be heard? (no reply) If there is no one else who wishes to be heard, will the Secretary please call the roll?

SECRETARY WALTER: On continuing this hearing until tomorrow morning at 10 a.m., when the subject to be heard will be the proposed zoning maps for the Borough of Manhattan. Chairman, Vice Chairman, Commissioners Orton, Sweeney, Provenzano, Acting Commissioner Constable. This hearing will now be continued until tomorrow morning at 10 a.m., March 22, 1960. It is now 4:55 p.m. on Monday, March 21, 1960.

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