

Community Board 1
January 17, 2012

Mr. Vinicio Donato, Chairperson of Community Board 1, commenced meeting at 7:00 p.m.

Mr. Donato opened meeting by wishing everyone a Happy and Healthy New Year. He then introduced Queens Deputy Borough President Barry Grodenchik. Mr. Grodenchik wished everyone a Happy and Healthy New Year. He said that half of the Board members should have received a letter from him recently regarding their reappointment, many have replied already. He asked for those who have not, please get the applications back to him as soon as possible. The Borough President Helen Marshall will be delivering the State of the Borough on January 24, 2012 at the Colden Auditorium at Queens College. There will be parking available and they would be happy to see everyone there. He thanked the members for their service on behalf of the Borough President Helen Marshall and himself.

Mr. Donato opened the public hearing portion of the meeting by introducing Mr. John Carusone, Chair of the Zoning and Variance Committee, who read the first public hearing item from the Department of City Planning Cal. # N110223 ZRQ –A zoning text amendment to establish Sec. 117-514 (Special Sign Regulations) within the Queens Plaza Sub district of the Special Long Island City Mixed Use District to allow accessory signs on rooftops of non-residential buildings fronting on Queens Plaza with a roof height between 70 and 150 feet. Mr. Ross Moscowitz, Lawyer, and Mr. Jeffrey Goodell, VP of Governmental Affairs at JetBlue, came up on behalf of the application. Mr. Goodell stated that JetBlue Airways will be moving into their new headquarters in Long Island City and is proud to call New York City their home town. JetBlue is the only airline to be housed in New York. Mr. Goodell went on to give a brief synopsis of JetBlue and what lead them to move to Long Island City. In 2009, JetBlue's looked at their lease that expires in 2012, so they began a comprehensive look to see where JetBlue should plan to plant its flag. They looked at several cities throughout the nation and narrowed it down to 5 cities and finally down to two Orlando and New York City. They worked with New York City and the State of New York and made their decision to remain in New York City. The decision to stay in NY was driven by their connection to the city, their customers, and their neighbors. They are committed to remaining an iconic New York brand. They chose the Brewster Building in LIC for a number of reasons. They wanted a community that they could be a part of as well as make a contribution. In NY, you have the best of both worlds a massive city and a wonderful collection of communities. Even before JetBlue decided to move to LIC they have been contributing to and participating to the local community. In 2007, JetBlue constructed a playground at the Variety Boys and Girls Club in Astoria. For the past four years they have supported the Taste of LIC and they expect their involvement in the community will only increase as they will have over a 1,000 crew members working in the community every day. They are proud of their corporate social responsibility efforts, but also to the contribution to the future of the economy of LIC. JetBlue headquarters will be a 24/7 operation, 365 days a year which will manage over 160 aircrafts. The Brewster Building was chosen because they hope they would have a roof top signage of JetBlue and identified as iconic NY brand. He thanked the Board for opportunity to present to the Board. Mr. Moscowitz stated that they are requesting a modification to the text amendment section 117-51 to allow for a rooftop accessory signage. He went on to give the technical aspect of the application and the text amendment of an accessory sign with its requirements. Mr. Moscowitz then provided several illustrations of the signage that they are proposing to install on the rooftop of the Brewster Building. The signage would be 41' tall and 75' wide and would be illuminated 24 hours a day. Mr. Carusone asked if the proposed text amendment is for the signage on the building that is occupied by JetBlue. Mr. Moscowitz stated no, that the proposal was driven by the JetBlue project but is not specific to JetBlue. There can be others sites that could put up signage, but they would have to meet the requirements. Mr. Carusone asked if the building had to be commercial. Mr. Moscowitz replied "yes". There was further discussion on the requirements and restrictions of having a signage on the rooftop. Mr. Jerry Caliendo stated that the Board has always encouraged the development of Queens Plaza. Why 75' as a minimum and why not Jackson Avenue and Northern Blvd. Ms. Penny Lee, City Planning, stated that this proposal affect CB1 and CB2. This text change was worked out in collaboration with JetBlue. The Department of City Planning saw this as an opportunity to reintroduce high rise signs into the LIC neighborhood. Rooftop and other large signs had been allowed in this area until 2001 when there was a city-wide text amendment adopted for signs all throughout the city. It lowers the height of the signs to 40' above curb. When JetBlue was looking to establish themselves at Queens Plaza they thought it was an opportunity to test the waters and see how reintroducing signs like that into the neighborhood would actually work. The reason they are focusing on Queens Plaza is because of the traffic coming off on the Queensborough Bridge and you also have a lot of subway riders. They chose the specific height based on the surrounding buildings where there were rooftop signs and felt that this was the right height. They didn't want the signs to be too low down. Mr. Jerry Caliendo asked if they could have made it a little easier instead of a text change, make the text change and allow a special permit this way the community can look at it and make a judgment on how it affects the community. Ms. Lee stated that would be good for the community, but if something that the City really did not want to be in the business of continually processing special permits. If you look at the map there is potential for additional special permits. The city did not want to be in a position of critiquing the entire sign. Mr. Risi asked about the proposal regarding accessory sign as

opposed to advertising. He asked if she could distinguish why this is accessory and not advertising and is it possible if the Board allows this that a building that has an adult establishment on the first floor can put up a photo that is 45' by 150'. Ms. Lee stated that adult industries are not allowed in the sub-district of Queens Plaza since zoning allows for housing. There are no adult establishments allowed there. Mr. Risi inquired about "Scandals". Ms. Lee stated that "Scandals" are supposed to have a minority adult floor area that is for adult use. The majority of Scandals has to be non-adult. Mr. Risi asked if it is possible that they can erect a sign. Ms. Lee stated that the building that Scandals occupies is too low. Mr. Risi asked if a building was 6 stories or 75' tall that has or will have some sort of adult entertainment establishment. Is it possible for them to erect a sign? Ms. Lee stated that there cannot be new adult establishments in the area. The only one would be Scandals. It would have to be on the ground floor of a purely commercial building and constructed at the specified heights. She then stated that they chose accessory signage because it would be displaying JetBlue the company's name instead of advertising which would allow any type of advertisement or sign. In section 12.10 of the zoning resolution, if you are in the building you are allowed to put a sign advertising yourself. Ms. France McDonald asked if they are leasing the building. Will the sign be illuminated and will they take the sign when they leave. Mr. Moscovitz stated that they are leasing the building for 12 years. There will be a light box behind the letters and it will be lit 24/7. He stated that the landlord would insist that they take the sign with them. Mr. Prentzas asked if they tested the waters in having a sign put up. What will happen if some of the hotels in Dutch Kills say that you allowed it there why not do it over here for us? Ms. Lee stated that they will consult with everyone before anything happens for public review. There are also other restrictions in that area. Mr. Daniel Aliberti stated that they are not the building owner, but why is the building owner not present asking for this since it will be built on his building. Mr. Moscovitz stated that the building owner is available and the landlord has authorized the filing of the application and signed off in support. Mr. Khuzami asked in order to meet the restriction of being in the building and to put a sign up, what if Lexus decided to rent a broom closet to put a sign is there minimum requirement for tenancy? Ms. Lee stated that they are currently looking into implementing a minimum requirement of usage of space. Mr. Carusone asked if there is percentage requirement of occupancy to put up a sign. Ms. Lee stated that currently there is no requirement for occupying for a certain percentage of the building. If Community Board 1 feels strongly about this issue, then it should be stipulated in our recommendation. Mr. Moscovitz added that he was not aware of any minimum requirement. Citywide there is no such restriction of limitation or maximum/minimum requirement on accessory signs. Ms. Antonella DiSaverio asked if they consider a sign when they were in Forest Hills. Would you consider changing the design of the sign? Mr. Moscovitz replied no, they did not look at that when they were in Forest Hills. The design of the sign only came about when they found the Brewster Building as a way of establishing JetBlue as a home grown business. Mr. Goodell stated that the signage is very important iconic NY brand and it is an important part of their decision to stay in New York. This would be a significant investment for them. Mr. Prentzas asked if it would make more sense to have some type of guidelines. What if Scandals decided to occupy space in a taller building and expects to put up a sign. Ms. Lee stated that the current zoning text proposal only allows one signage per establishment/roof. Mr. Donato asked if there was anyone in the audience who wanted to speak for or against this application. Mr. Jerry Walsh, Dutch Kills Civic Association, stated that they have met with JetBlue and they are in support of it with the understanding that the sign are permitted on Queens Plaza. He thanked the CB1 for the questions that they asked were brilliant. No further discussion. Item closed.

The next item was from the Board of Standards and Appeals #189-11-BZ – Premises 32-21 46th Street. An application to enlarge the existing dwelling from a 1 family, 3 story dwelling, to a 3 family, 4 story dwelling. Mr. Tony Paretto, Architect, stated that he is representing the owners of the application. The lot is 25' x 100', with a one-family house built in 1920, it is two-story house existing 1260 sq. ft. total in a zone for a two-family, but they are looking to put up three family home. The addition to the back will add 720 sq. ft. and in the front of the home it is a three story home with a slope in the back exposing the basement of the home which makes it look like a 4-story home. He stated that the proposal is the conversion of a one family home to a three family home while on a zero lot line and will continue that back. Mr. Carusone stated that there was a discrepancy in the application; it stated that the existing building was a two-family house in a three-story frame building. Will there anything being added to the top of the existing building. What is the additional sq. ft? Mr. Paretto stated that the extension will be added to the back of the building. The existing sq. ft. is 1,260, with the extension each walkway will be 1,300 sq. ft. with a total of 3,900 sq. ft. Mr. Carusone asked about the back of the lot. Mr. Paretto stated that there will be a 25' setback. Mr. Carusone asked how will they comply with the exit requirements of 2 means of egress and fire protection. There are a lot of safety issues on an existing building which was not compliant and now it is going to be made into a three family which will make it worse. Mr. Paretto stated that they are proposing to strengthen the house as well as put a rear fire escape onto the house giving it 2 means of egress. This one of the smallest houses on the block, there are other homes on the block that are 4 or 5 story homes. The home will be occupied by the family only. Mr. Carusone asked what the hardship is that was mention in the application. Mr. Paretto stated that the home was built in 1920 and is in dire need of renovation. There are two families that are living in the house and their parents will be moving into the home. Ms. McDonald asked if you go on the city assessment website and look up 32-21 46th Street will it say that it is a two family home. Mr. Paretto stated that it will say one family. Mr. Donato asked if there was anyone in the audience who wanted to speak for or against the

application. Steve, the son-in-law of the neighboring property, stated they don't want to begrudge the applicant to add onto their home and don't object to an as of right project. But, he strongly urges the Board not to support this BSA application for a zoning variance. The existing building is a wood frame two story house with a cellar in an R5 zoning district and show on the back of the handouts in the photograph. The applicant filed with the DOB, as an alteration in order to preserve the existing non-compliant side yard. There is a specific list of remedies being requested from the BSA, from what they can see from what has been filed with CB1 the project is not compliant with the required street wall setback, planting requirements, and side yard and rear yard setbacks. It seems the floor area exceeds the lot area for a multiple dwelling. He gave further examples of why the application should not be supported by the Board and the requirements of a multiple dwelling. Mr. Carusone stated that at the property line of a multiple dwelling there is a requirement of an 8' side yard, unless there is a property that joins the property line. The rear and side yards are not compliant with the regulations right now but the conversion will continue to leave the property in non compliant. He suggested that maybe they should consider making it a two family. Mr. Paretto stated that the whole purpose of introducing this to the community board is to get some feedback. They are doing what is most beneficial for them. If they need to scale back he will present that to them. He is aware that there are something's that they are no abiding by and a list of objections this is why he is meeting with the Board first, before going to BSA. They do not want to anger anyone. Mr. Teddy Kasapis asked if the conversion will require parking. Mr. Carusone stated that it will require two additional parking spaces, parking is not allowed in front yard. No further discussion. Item closed.

Mr. Joseph Risi, Chair of the Consumer Affairs Committee, read the next item from the Department of Consumer Affairs #1142044 – Premises 30-95 33rd Street (Brick Café). An application to renew the license to operate an Unenclosed Sidewalk Café with 24 tables & 48 seats. Mr. Steve Wygoda, Architect, came up on behalf of the applicant. He stated that Brick Café has been in operation for 10 years. There are no changes. Mr. Risi asked if they received any violations in connection with the operation. Mr. Wygoda replied “No”. Mr. Risi asked if there were any substantial changes in the layout or hours of operation. Mr. Wygoda replied “No”. Mr. Donato asked if the Board had any questions for the applicant. Seeing no one. Mr. Donato asked if there was anyone in the audience who wanted to speak for or against this application. There was no one. No further discussion. Item closed.

BUSINESS VOTING:

Mr. John Carusone reiterated the public hearing item from the Department of City Planning Cal. # N110223 ZRQ –A zoning text amendment to establish Sec. 117-514 (Special Sign Regulations) within the Queens Plaza Sub district of the Special Long Island City Mixed Use District to allow accessory signs on rooftops of non-residential buildings fronting on Queens Plaza with a roof height between 70 and 150 feet. Mr. Carusone said the committee met and recommended approval of the application with the stipulation that the roof top sign be limited to a tenant that occupies a minimum of 25% of the total building and that there be no subleasing of any portion of the space, seconded by Mr. Caliendo. Mr. Donato asked if there were any further questions. No further discussion. Mr. Donato called for a vote. Motion called and carried with 29 in Favor, 7 Against and 1 Abstention for Cause.

The next item was from the Board of Standards and Appeals #189-11-BZ – Premises 32-21 46th Street. An application to enlarge the existing dwelling from a 1 family, 3 story dwelling, to a 3 family, 4 story dwelling. Mr. Carusone said the committee met and recommended disapproval of the application, seconded by Pallos. Mr. Donato asked if there were any further questions. No further discussion. Mr. Donato called for a vote. Motion called and carried with 1 Against.

Mr. Joseph Risi reiterated the next item from the Department of Consumer Affairs #1142044 – Premises 30-95 33rd Street (Brick Café). An application to renew the license to operate an Unenclosed Sidewalk Café with 24 tables & 48 seats. Mr. Risi said the committee met and recommends approval of the application, seconded by Babor. Mr. Donato asked if there were any further questions. No further discussion. Mr. Donato called for a vote. Motion called and carried.

GENERAL DISCUSSION:

Ms. Hoong Yee Lee Krakauer, Executive Director of the Queens Council on the Arts, stated that she came to let people know that they will be moving into Community Board 1. The monies they receive from the City, State, and Federal government approximately 26% of the money ends up in Astoria/LIC. They are excited to promote their move to Astoria and with the help of Kaufman Studios, their landlord; they look forward to sharing more with the Board. They look forward to the board attending their open house in a next 2 to 3 months. Mr. Donato asked which of the arts. Ms. Krakauer stated that they have all discipline of the arts. Ms. Mary O'Hara noted that the northern part of Woodside is also part of the community board 1. Mr. Donato welcomed them to the neighborhood.

BUSINESS SESSION:

Mr. Pallos motioned to accept the minutes of December's Board meeting. Motion seconded by Mr. Babor. Motion called and carried unanimously.

Mr. Donato wished everyone a Happy New Year.

Ms. Lucille Hartmann, District Manager, reported that inside Board members' folders there were 2 cards, one for the suspension of Alternate Street parking days for 2012 and the other for a Uniform Color Code card. We often see colored marking on the street and don't know what they are for. If you refer to the card you will see what the marking indicates. There was pamphlet listing many of the cultural organizations in Long Island City/Astoria, which she hoped it would be of interest to the Board members. There is also a flyer regarding a Community Improvement Project grant put out by the Citizens Committee. The deadline for submission is January 31st. Please share this information with your neighbors. The Board received notice from the management company for the Astoria Senior Residences at the Variety Boys/Girls Club and the Halletts Cove Apartments that they are taking applications for the senior housing. Rents vary based on the household income. Mr. Khuzami asked about the parking for HANAC. Ms. Hartmann stated that there has been a delay but they will keep the Board updated of the progress.

Linda Perno, Chair of the Education Committee, reported that on January 9th at 6:30pm she met with two founder of a potential new charter school coming to our area. To be named Inspired Math New York City Charter School (IMNYC) with a full program with math being the focus point of the school. They are still waiting for their go ahead with their charter and have looked at some site. They are in a bit of a catch-22, you have to have the charter before you get the site. They would like to meet with the Board and they are concentrating on going ahead with their application for their charter. There will be a lottery for students to attend the school and will start with our community then city-wide. They will start with at least 190 students in classes from K -2 each with 21 students per class. They will hold a community meeting prior to the Board meeting and hopefully they will be here to tell us more about what they will be doing in our community.

Judy Trilivas, Co-Chair of the Health & Social Services/Senior Committee, reported that Mt. Sinai Hospital has finally filed for a Certificate of Notice (CON) for a new building. The new building will have an expanded emergency department, new operating rooms, and additional floor beds.

Antonio Meloni, Chair of the Public Safety Committee, reported that they continue to see the same issues with crime. There will be a Crime Prevention Seminar for Women on January 18th from 7pm to 8:30pm at Immaculate Conception Church. Guest speakers will be Councilmember Peter Vallone and Crime Prevention Police Officer Glynn.

Jose Batista, Chair of the Youth Committee, reported that there were 131,000 application filed for the 30,000 opening for summer youth jobs last year, 32% were from Queens and 25% were from Manhattan.

NEW/OLD BUSINESS:

Mr. Ed Babor motioned that the Board cast one ballot for the Election of Officers as they are listed, seconded by Mr. Kevin Mullarkey. Motion called and carried unanimously.

Mr. Jerry Caliendo stated that he would be doing a sketch of parking area over the Grand Central Parkway. Mr. Donato stated that Mr. Caliendo volunteered his services.

Ms. Rosemarie Poveromo President of the United Community Civic Association (UCCA), reported that the UCCA will host a Community "Love-In" cocktail party at Central Lounge, 20-30 Steinway Street at 6:30pm. It will be \$40 per person, call for reservations at 718-932-5415. All are welcomed.

Ms. France McDonald said that the Commissioner of the Department of Buildings stated that they were trying to or would like legislation passed by the New York State Assembly and the New York State Senate that if a owner of a building, developer, or contractor had unpaid fines or violations those would be considered as a lien against the building in the event that the property was being sold. She does not believe that the Board has every put that in writing, so she would like to move that the Board send such a letter to our representative in Albany. Mr. Alexiou stated that they would never give a Certificate of Occupancy if the building is not free and clear. Mr. Caliendo stated that if a building is being sold the violations/fines come up in closing and the buyer would buy it with money in escrow from the seller or the seller would have to remove it. Unless, somebody wants to assume the risks, the buyer, with cash without a lender, lenders will not lend money on property that has violations. Mr. Caliendo stated that all violations that are issued to an individual on a property are not always accurate and correct. Mr. Carusone clarified the process of receiving violations and fines for the Board to understand the current process.

There was no further business before the Board; Mr. Prentzas motioned to adjourn, seconded by Mr. Babor. Motion called and carried unanimously