

**Community Board 1
February 21, 2012**

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

Mr. Donato opened the meeting with public hearing item from the Board of Standards and Appeals. Mr. John Carusone, Chair of the Zoning and Variance Committee, read item #19-12-A – Premises 38-30 28th Street – An application for a determination that the applicant has vested its rights under the common law to continue and obtain a Certificate of Occupancy for premises noted above. Ms. Vivian Krieger, Goldman Harris LLC, came up on behalf of the applicant. She is present to prove that they are vested under the common law for the premises 38-30 28th Street in Dutch Kills to continue construction. Two years ago, DOB found that the foundation was 100% completed and they were vested under the law and the applicant withdrew their application with BSA. They are now seeking to continue construction under the doctrine of vested rights. They had two years to complete the construction after the rezoning, but were unable to do so. They feel they have met the three requirements 1) 70% of the construction has been completed, 2) 86% of the expenditure has been spent on the project, and 3) the applicant is a small construct company that will suffer severe economic loss. She gave a brief history of the construction from their initial permit to the current application. Mr. Carusone confirmed that they had two years to complete their project after a zoning change then you have 30 days to apply for an extension. It's now three years since the zoning change. He asked why the request for an extension was not made within the 30 days. Ms. Krieger stated that due to problems beyond her control she was not able to file. Mr. Carusone asked under the common law is the building substantially completed. Ms. Krieger stated that the BSA looks at all three factors they do not have a specific formula. In this case, the building is approximately 70% completed and the rest of the work is internal such as plumbing and elevators. Mr. Carusone asked what the total cost is for the project and what has been spent on the project as of today. Ms. Krieger stated that the total cost of the project is \$3,699,800.00 and the total expenditures to date are \$3,166,932.20 is 86% of the cost on the 70% on the completed portion of the project. Mr. Carusone asked if all the materials have been used. Ms. Torres stated that they are in the process of installing interior bay windows and other materials at the site that has not been installed. Mr. Khuzami asked what the delays were for the late filing. Ms. Torres stated that the delay was due to an issue with the building and scheduling of inspection from the appropriate departments. They were informed that they needed to finish the concrete and then install the elevator before they could proceed. Mr. John Zedonis asked how many stop work orders did they receive. Ms. Torres was not sure as to how many stop work orders were received. Mr. Zedonis asked how many ECB violations they were issued. Ms. Torres stated that she did not know. Mr. Donato asked how the Board would be able to make a decision without the appropriate information. He stated that they came unprepared. Ms. Krieger stated that she will retrieve the information and provide to the Board in time for the vote. Mr. Donato asked if there was anyone in the audience who wanted to speak for or against this item. Mr. Trivilas, Dutch Kills property owner, stated that the applicant was asked two times to stop. He said that they stopped them from working every other day. He is in support of the application. Mr. Donato asked what his relationship is with the builder. Mr. Trivilas stated that the builder is a member of the Long Island Coalition/Dutch Kills Coalition. Mr. Stamatiades is aware of the coalition. There was no further discussion. Item closed.

Mr. Joseph Risi, Chair of the Consumer Affairs Committee, read the next item from the Department of Consumer Affairs #1418049 – Premises 32-02 30th Avenue (Burger Club). An application to establish an Unenclosed Sidewalk Café with 22 tables & 50 seats. Mr. Zeno Azengo, owner, came up on behalf of the application. Mr. Risi asked if they were open for business and what are their hours of operation. Mr. Azengo stated that they are open for business, Monday to Friday from 11am to 11pm and Saturday and Sunday from 11am to 12am. Mr. Risi asked if they have a liquor license. Mr. Azengo stated that they have a beer and wine license. Mr. Risi asked if they are willing to remove 3 tables and 6 seat on 30th Avenue and 2 tables and 4 seats on 32nd Street. Mr. Azengo stated that he has no problem with decreasing the number of tables and chairs to 17 tables and 40 seats. Mr. Risi asked if he understands the prohibition of music, smoking and non enclosure of a sidewalk café. Mr. Azengo replied “Yes”. Mr. Donato asked if there was anyone on the Board who had 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 item. There was no one. No further discussion. Item closed.

The next item #1197298 – Premises 37-01 30th Avenue (Grand Café). An application to renew the license to operate an Unenclosed Sidewalk Café with 20 tables and 40 seats. Mr. Stu Chasevanez, owner, came on behalf of the application. Mr. Risi asked how long have they been in operation and have they had any violations or summonses since their previous application. Mr. Chasevanez stated that they have been in operation for 7 years and they have no violations or summonses. Mr. Risi asked if there were any changes in ownership or alterations. Mr. Chasevanez replied “No”. Mr. Donato asked if there was anyone on the Board who had a question for the applicant. Seeing no one. Mr. Donato asked if there was anyone in the audience who wanted to speak for or against this item. There was no one. No further discussion. Item closed.

BUSINESS VOTING:

Mr. John Carusone reiterated public hearing item from the Board of Standard and Appeals #19-12-A – Premises 38-30 28 Street – An application for a determination that the applicant has vested its rights under the common law to continue and obtain a Certificate of Occupancy for premises noted above. Mr. Carusone said the committee met and recommended by a vote of 9-2 for approval of the application, seconded by Mr. Alexiou. Mr. Donato asked if there were any further questions. No further discussion. Mr. Donato called for a vote. Motion called and carried with 4 Against.

Mr. Joseph Risi reiterated the next item from the Department of Consumer Affairs #1418049 – Premises 32-02 30th Avenue (Burger Club). An application to establish an Unenclosed Sidewalk Café with 22 tables and 50 seats. Mr.

Risi said the committee met and recommended approval of the application with the agreement of the applicant to remove 3 table and 6 seats on 30th Avenue and 2 tables and 2 seats on 32nd Street, for a total of 17 tables and 40 seats, seconded by Mr. Pallos. Mr. Donato asked if there were any further questions. No further discussion. Mr. Donato called for a vote. Motion called and carried unanimously.

The next item #1197298 – Premises 37-01 30th Ave. (Grand Café). An application to renew the license to operate an Unenclosed Sidewalk Café with 20 tables and 40 seats. Mr. Risi said the committee met and recommended approval of the application, seconded by Mr. Babor. 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.

GENERAL DISCUSSION:

Ms. Jenny Fang, Volunteer and Teacher at QISS Chinese Language, stated that the Lunar New Year was on January 23, 2012, the Year of the Dragon. The Dragon represents outstanding benefits and power in traditional Chinese culture. Traditional Chinese culture in China has 5,000 years of history which is very spiritual and is based on Buddhism, Taoism, and Confucism. There is a great cultural revolution currently going on in China to reintroduce the traditional Chinese Culture. This year the Shen Yun Performing Arts completed performances at Lincoln Center's David H. Koch Theater. The Shen Yun Performing Arts bring characters from Chinese history and literature to life on stage. Shen Yun celebrates the splendor of classical Chinese culture through dance, music and song. They have traveled around the world and will be back in August 2012. She would like to be able to have the Board experience traditional Chinese culture. If anyone would liked further information they can reach her at 917-862-0711 or jenny.fang@ntdynasty.com.

Mr. Julian St. Patrick Clayton, Big Apple Rx, stated that the City of New York is now offering the Big Apple Rx prescription discount card for the uninsured. The discount program is designed for New Yorkers and visitors to NYC. The card can be used for the whole family on prescription only medications. The discounts are on brand and generic prescription drugs from the thousands of participating pharmacies throughout NYC. For more information you can visit the website <http://www.bigapplerx.com> or call 311. You can check prices of medication by participating pharmacies on the website. Mr. Caliendo asked what pharmacies are participants. Mr. Clayton said that there are 2,300 pharmacies throughout NYC. You can check online to see if your pharmacy is participant. Mr. Daniel Aliberti asked if the card could be used for over the counter medications. Mr. Clayton stated that the card is only for prescription medications. If the doctor writes a prescription for an over the counter medication then the card can be used. The card can even be used for pet medications if there is a human equivalent. Mr. Rudolfo Sarchese asked how much of a discount does the card provide. Mr. Clayton stated that there is about 50-60% on generic drugs and 10-15% on brand name depending on the medication. Mr. Mullarkey asked about senior who can't make it to the pharmacies. Mr. Clayton stated that they can call 311 for home delivery program for 90 day supply.

Ms. Jules Corkery, Co-Chair of Astoria Park Alliance, stated that their group is based on volunteers to beautify, enhance and encourage greater community involvement within Astoria Park. Another season in the park has begun. They are looking for volunteers who would like to be involved in the parks this year, a lot has been scheduled. For those who are interested or know anyone who is interested they should contact her. Ms. Wylie Goodman, Technical Assistance Coordinator with Partnership for Parks, stated that the Partnership supports Astoria Parks Alliance in the work that they are doing to make Astoria Park amazing and beautiful. They keep it active throughout the Spring, Summer and the rest of the year. Ms. Goodman stated that she met with the Parks Committee recently and spoke about various programs they have been involved in such as "People Make Parks" this group helps New Yorkers participate in the designing of their parks from the ground up. It is a way to engage communities from the beginning with advocating for funding for parks and also finding out what communities want from their park. Astoria Park Alliance is going to be doing some visioning this Spring with Its My Park, which will be held on Saturday, May 19, 2012. On It's My Park Day they will be out doing community visioning which will be a lot of fun hands on engaged activities for people of all ages to find out what kinds of changes or improvements in their parks. Flyers have been provided for all those interested in volunteering for upcoming events.

Ms. Adna Jervic, Inspire Math NYC Charter School a proposed new Charter School (IMNYC) will be offering in depth math classes within a smaller classroom size setting. They are currently looking to the community to give them ideas and feedback for the Charter School to be more successful. Ms. Anotnella suggested that they speak to other charter schools in regard to what other charter schools have been facing. Ms. Jervic stated that they would be reaching out to Renaissance Charter School for assistance. She brought brochures of the IMNYC Charter School for those who are interested in learning more about them.

Nancy (did not sign in), Public Health Department at Long Island Jewish, stated that they are working with the Queens Smoke-Free Partnership to decrease tobacco use and second hand smoke. They are working in the community to create smoke free outdoor areas, smoke free housing to decrease housing insurance and the health hazards from second hand smoke, and decreasing point of sale advertising at cash registers, windows and displays. They recently did a walk-thru to see how many advertisements were posted in the neighborhood. She left brochures for more information. Mr. Mullarkey asked about Hookah smoke. Nancy stated that the Hookah smoke is just as bad as cigarette smoke. Hookah contains tobacco and chemicals that cigarettes do and causes the same health problems. The mouth piece that is used with the Hookah is not changed and creates another health problem.

Mr. Ryan Meyer, Astoria Houses, stated that he attended a meeting regarding redistricting. He feels that the redistricting is inappropriate and asked that everyone keep abreast of the redistricting. In regards Astoria projects and zoning on 8th and 9th Street and 27th Avenue what happens to the people. He then stated that you can't tell people who smoke what they can do in their apartments.

BUSINESS SESSION:

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

Mr. Donato reported that there was no report.

Ms. Lucille Hartmann, District Manager, reported that the NYPD is conducting their Citizen Police Academy starting on March 14th for 15 consecutive weeks. The training offered is similar to the training of police recruits. Topics covered are police science, law and state of the art policing strategies currently employed by the NYPD. Each precinct recommends 2 members of the community to participate. If you are interested you must contact the Public Affairs officers Judge or Eddie at 718-626-9327 no later than Friday, February 24th. Transportation to and from the Academy is provided by the police. Several members of our Board have participated in this program and they speak very highly of it. She then stated that in the Board's folders there was a flyer regarding SHAREing and CAREing Annual Senator George Onorate's 5K run. This year the event will be held at Aqueduct Race Track on Sunday April 22nd. In addition, to the entry fee to participate in the race there will be a luncheon in the Equestrian Dining room for an additional fee.

Ms. Rosemarie Poveromo, Chair of Airport Access Committee, reported that UCCA will be holding a meeting on Thursday, March 1 at 7:30pm at the Augustana Lutheran Church. The meeting will be on "Law & Order... Disorder & Justice!" The guest speaker will be Hon. Peter Vallone, Jr. who will be joined by Commissioner Dora Schriro. All are welcome. The Department of Homeless Services has no plans to convert West Way Motel into a full time homeless shelter. That issue is dead.

Ms. Mary O'Hara, Chair of Housing Committee, reported that the Department of Finance has increased the assessed property value on many co-op owners. As a result, many co-op owners' taxes will be going up. This action is being contested and they are hoping for a postponement on actual initiation of the increase. Mr. Alexiou added that they changed the assessment but they increased the value of the property.

Mr. Richard Khuzami, Chair of Parks & Recreation/Cultural Affairs/OTB Committee, reported that the committee had a presentation by Astoria Park Alliance of their program for the up-coming year and some of their goals and what they would like to see in the park. It was a very informative meeting and he plans on having a series of meetings with different local advocacy groups so when next year comes for their Capitol/Expense recommendations the committee members could make informed, intelligent decisions. Mr. Donato asked if he heard anything about St. Michael's Cemetery and property along the BQE. Mr. Khuzami stated that he has not heard anything. He understands that Parks is still trying to obtain land and they have been focused on the small piece of land on the waterfront between Socrates Park and Costco. They will only do a land swap; they will not accept money for the purchase of the land.

Mr. Robert Piazza, Chair of Transportation Committee, reported that he received an article on curb repairs. Northeastern Queens has been doing what the DOT asked them to do by putting their name on a list for curb repair, but there is a 23 year backlog. Ms. Hartmann stated it went down from 25 years to 23 years. It is also in the Board's Capitol/Expense Budget. She went on to say that the curbs will get fixed if DOT fixes sidewalk. If they want the city to fix the sidewalk, at that time curbs can be fixed. Otherwise, to fix only the curb the list is very long.

Mr. John Carusone, Chair of Zoning & Variance Committee, reported that there will be a Committee meeting on Thursday, March 8, 2012 at the Board office. Mr. John Young from the Department of City Planning will be there to talk about the proposed zoning change want to build on Steinway Street and 35th Avenue. He reminded the committee members that it important that they attend.

NEW/OLD BUSINESS:

Mr. Rudolfo Sarchese asked about the status of the application that was submitted by the Department of Homeless Services that was discussed at their previous meeting. He understands that Ms. Poveromo said that this will no longer be happening. As of now he has not heard anything about the application submitted. Mr. Donato stated that the Board received notification concerning the West Wing Motel and Ms. Hartmann notified the Legislators who were not aware of the proposal. Mr. Donato made a motion to send a letter to the appropriate agency stating that CB1 is vehemently against this proposal, seconded by Babor. Motion called and carried.

Ms. Evie Hantzopoulos asked about the liquor license for ML Lounge on 33-20/04 Broadway. She stated that there is some concern about this establishment. PO Coleman of the 114th Pct. stated that there was no summons issued. Ms. Hantzopoulos asked if people could attend the meeting at the 114th Pct to voice their concerns about the establishment and what their problems are. Ms. Hartmann stated the Board has 30 days to comment on it. Most of the complaints were about noise. Ms. Hantzopoulos stated that they had several complaints of underage drinking at the premises.

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