

**Community Board 1, Q**  
**March 20, 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 #294-06-BZ -- Premises 31-11 Broadway (Club Fitness). An application to enlarge the Physical Culture Establishment by converting the front portion of the cellar to a locker room, accessory offices; accessory mechanical room and additional gym space. The new space would increase the floor area by 4,700 sq. ft. This item has been postponed to April's meeting at the request of the applicant's representative.

The next item #28-12-BZ -- Premises 13-15 37<sup>th</sup> Avenue. Applicant is requesting to reduce the number of required parking spaces for the medical office and seeks approval to provide roof top parking in an M1-1 zone. Mr. Eric Palatnik, Attorney, came up on behalf of the applicant. Mr. Palatnik stated that there are 8 parking spaces in the cellar and 17 additional spaces on the roof which meets the requirement of 25 parking spaces. He added that there is a school across the street and synagogue behind the premises. Mr. Carusone asked how the cars will get up to the rooftop. Mr. Palatnik stated that they will be using a heavy-duty lift. Mr. Carusone asked if the lift will be operated by an employee. Mr. Palatnik replied "Yes". Mr. Donato asked if anyone on the Board had any questions for the applicant. Mr. Mullarkey asked what if the lift breaks down do they have an emergency plan to get those vehicles off the roof. Mr. Palatnik stated that the owner would spend the money to fix it very quickly since there is no street parking available from 8am to 4pm. Ms. Frances McDonald asked about the error of omission that they didn't get or didn't require or request a permit. Mr. Palatnik replied "Yes". Ms. McDonald asked why the Certificate of Occupancy (C of O) does not reflect this. Mr. Palatnik stated that the C of O only has the basement and the 1<sup>st</sup> floor. It does not have the cellar, 2<sup>nd</sup> floor and the parking. It is a complete error on the C of O. Ms. McDonald asked that the error was only uncovered when the owner applied for a permit. Mr. Palatnik stated that the owner applied to have some work done and found out he was rejected. When he asked why he was being rejected, he was informed that he never got a special permit. He is now in the process of trying to rectify this situation, since the original architect did not file correctly. Ms. McDonald asked about the application regarding medical office. Mr. Palatnik apologized for the error of the letter there are no medical offices. He said that it was a typo in the cover letter it is not what they are requesting. Mr. Carusone asked if the rooftop parking was approved as part of the plans. Mr. Palatnik replied "No. the first floor and basement were approved by Buildings. Mr. Carusone asked if the plan were approved with the rooftop parking and the cellar. Mr. Palatnik stated the plans were designed with the rooftop parking and the elevator. He is not sure what the previous architect did. Mr. Carusone stated that the plans were approved, would it had complied. Mr. Palatnik replied "Yes". He added that the previous architect did not secure C of O's for all of the premises. He only retained C of O's for the basement and first floor. There was further discussion on the process and procedure of the approvals of the plans and the C of O. Mr. Palatnik stated that the building was custom built, spending about \$250,000 with the architect for the 2-story premises with rooftop parking for his business. When he saw the C of O was not reflecting what he had paid for. Mr. Carusone asked if Mr. Vaccaris had an architect draw up plans for a 2-story with rooftop parking. Mr. Victor Vaccaris, owner, replied "Yes", but the Building has no records. He has the building inspection and the elevator inspection. Mr. Carusone asked if he received a C of O. Mr. Vaccaris replied "Yes". Mr. Carusone asked if they have the C of O indicating rooftop parking. Mr. Palatnik stated that the C of O has basement and first floor only and 13 accessory parking spaces. He added that Mr. Vaccaris sin was that he did not notice the error 20 years ago until now. They are present to legalize and correct the error. Mr. Donato read the Certificate of Occupancy for the premises accessory parking for 13 cars, and required off street parking for 13 cars, indicating a total of 26 spaces. Mr. Robert Piazza asked to clarify the parking spaces. Mr. Palatnik confirmed that there were 8 required spaces in the cellar and 17 additional spaces on the roof meeting their requirement of 25 parking spaces. Mr. Jerry Caliendo stated that in a M1 zone with a 1 FAR, a 1-story building and there is parking on the lowest level you have to deduct that floor area. In a 2-story building, with basement for parking, that doesn't count as floor area, they added the second floor which is actually called the first floor as offices. So there are 13 parking spaces required as stated for the entire building. What is being sought is additional parking for the business vehicles which will go on the roof which requires a special permit. There was further discussion of the FAR of the premises. Mr. Donato asked if there was anyone in the audience who wanted to speak for or against this application. There was none. Item closed.

Mr. Gus Prentzas read the next item from the Department of Consumer Affairs #1402273 -- Premises 36-19 30<sup>th</sup> Avenue (Via Trenta). An application to renew the license to operate an Unenclosed Sidewalk Café with 18 tables and 40 seats. Mr. Michael Kelly came up on behalf of the application. Mr. Kelly stated that he was present to renew their unenclosed sidewalk café for 11 tables and 24 seats on 37<sup>th</sup> Street and 2 tables and 4 seats on 30<sup>th</sup> Avenue for a total of 13 tables and 28 seats. They are looking to modify to 12 tables and 26 seats on 37<sup>th</sup> Street with 6 tables and 14 seats on 30<sup>th</sup> Avenue for a total of 18 tables and 30 seats. They will be using the same area on 37<sup>th</sup> Street and 5'-7' on 30<sup>th</sup> Avenue. There was an agreement years ago to reduce the number of table and seats for the application and are reapplying with

the original number of tables and seats. Mr. Prentzas asked if they received any violations or summonses since their last application. Mr. Kelly replied "No". Mr. Prentzas asked if there were any changes in ownership. Mr. Kelly stated yes, he purchased the premises from the previous owner in May of 2011 and opened in November 2011. Mr. Prentzas asked what the hours of operations were. Mr. Kelly said that they are open from 12 noon to 1 am 7 days/week, they have a liquor license for beer and wine, and background music is from an Ipod. Mr. Donato asked if they were currently open, with tables outside and is the permit posted in the window. Mr. Kelly replied "Yes". Mr. Donato stated that applicants should always have their permits posted. Ms. McDonald asked if their existed permit is for 18 tables and 40 seats. Mr. Kelly stated no, the permit is for 13 tables and 28 seats. Ms. McDonald asked who owns the building. Mr. Kelly stated that they are leasing the premises. Ms. O'Hara asked them to clarify location of tables. Mr. Kelly indicated the additional table on the application and stated that they would be using an additional 5' but will be leaving enough room for pedestrians. Mr. Prentzas stated that technically they cannot be operating on someone else's permit and technically you should not have any tables out until you have been approved for your permit. Mr. Kelly stated that they were before the Board last year for approval and were approved with the modification. Mr. Donato asked if anyone on the Board had questions for the applicant. There was none. Mr. Donato asked if there was anyone in the audience who wanted to speak for or against the application. Seeing no one. Item closed.

#### **BUSINESS/VOTING:**

Mr. Carusone reiterated public hearing item from Board of Standards and Appeals #28-12-BZ -- Premises 13-15 37<sup>th</sup> Avenue. Applicant is requesting to reduce the number of required parking spaces for the medical office and seeks approval to provide roof top parking in an M1-1 zone. Mr. Carusone stated that the committee met and recommended approval of the application, 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 with 1 Against.

Mr. Prentzas reiterated the next item from the Department of Consumer Affairs #1402273 -- Premises 36-19 30<sup>th</sup> Avenue (Via Trenta). An application to renew the license to operate an Unenclosed Sidewalk Café with 18 tables and 40 seats. Mr. Prentzas said the committee met and recommended approval with no increase in tables and seat and will remain at 13 tables and 28 seats, of the application, application, seconded by Ms. Alaforgiannis. Mr. Donato asked if there were any further questions. No further discussion. Mr. Donato called for a vote. Motion called and carried unanimously.

#### **GENERAL DISCUSSION:**

Mr. John Kitaris, HANAC, stated that he has good news for the Board. The public parking garage on 29<sup>th</sup> Street and Astoria Blvd., they have finally closed on the garage construction with HPD and construction will begin by the end of the month. The construction is expected to last up to a year. They are asking the contractor to move that forward as soon as possible. Mr. Kitaris went on to say that the HANAC PCA Senior Residence has been completed on 33<sup>rd</sup> Street between Broadway and 31<sup>st</sup> Avenue and will be opening in June of 2012. There has been a lot of interest in that project and they expect at least 4,000 applications. Unfortunately there are only 65 units of housing. He has applications for everyone and information to obtain additional applications. Applications have the income requirements for those applying. They will also be advertising in the newspapers. Ms. McDonald asked the age limit and if there is an assets test. Mr. Kitaris replied 62, and said he would have to get back to the Board about the assets test. Mr. Daniel Aliberti asked if anyone under 62 with disabilities will be accepted. Mr. Kitaris replied "No". Ms. O'Hara asked how many parking spaces would be available in the municipal parking lot. Mr. Kitaris said there are about 60 spaces but will need to check on the number of the spaces. They will also have permit parking for the same spaces. Mr. Stamatiadies asked if there was a minimum of income for the senior residence. Mr. Kitaris stated that there is no minimum. Mr. Kitaris added that they are part of the Western Queens Caregivers Network. Tony, residence, stated that he appreciates all the work that HANAC does for the senior citizens. His main concern is that he has spoken to a number of people and some of the charges increase every year. Mr. Kitaris stated that the rent will always be 30% of the income in this new residence.

Mr. Jukay Hsu, Coalition for Queens, Mr. Hsu stated that they are a non-profit group trying to foster a tech entrepreneurial community in Queens. They have been working with community groups and elected officials on this initiative. One thing that they are working on now is the new tech campus on Roosevelt Island. Even though the campus will be on Roosevelt Island they are looking to create hundreds of new companies and thousands of new jobs by this initiative. A majority will be on Roosevelt Island where the campus is but a lot of it will come from Queens. In Bloomberg's press conference, he explicitly said that a lot of Queens will be affected by this and this community, particularly. The Coalition wanted to reach out to the CB1 start a conversation and make a presentation on what we can do on how to root and support the campus in the development of its goals. And to minimize the impact it will have on the community. They are currently working on a Community Benefits Agreement. It's what developers build in the area they sign a legally enforced contract with community and coalition groups in the area on how to offset adverse effect of this project, such as new roads, new schools, or programs for the community. The Coalition has reached out to various elected officials in Queens and Roosevelt Island. Mr. Donato asked for contact information. Mr. Hsu stated that anyone who wants more information of

their Coalition can call 646-981-3056 or email him at [jukay@coalitionforqueens.com](mailto:jukay@coalitionforqueens.com). Mr. Piazza stated that he met with this group before and suggested Ms. Hartmann should have an offsite meeting with the Board and interested parties. Ms. Hartmann stated that she will set-up a meeting. Mr. Piazza added that he met with Cornell's Vice President two weeks ago. She will be in charge of the project and will not have more than 2,500 people there including all staff and students. The project will begin in 2013, in 2014 the old hospital will be taken down, and in 2015 the campus will go up. Mr. Hsu added that the campus will not be technically open for another 4-5 years. Any Benefits Agreement that contract with community groups entered into at this time will be for long term. They are also working with City Council and Tech Innovators to help bring businesses to Queens.

Mr. Tex Crushiak, resident, stated that they will be hold a plaque ceremony in honor of Carl Benedetto on Saturday, April 7, 2012, rain date will be on Saturday, April 14, 2012. He added that there are several upcoming events that Occupy Wall Street are getting people motivated again about upcoming events.

Mr. George Alexiou stated that he has heard a lot of complaints from people on the street about the bicyclist in the night time. Particularly the delivery people are having a lot of accidents. The bicycles are supposed to have lights and reflectors to make them more visible at night. He said that the something should be done. Mr. Donato stated that the City does not enforce any of those rules and regulations. The board could send a letter telling the Mayor to do something about it and they should charge a fee for bicycles for a license and insurance for people of certain age. Mr. Donato asked that Mr. Piazza and Mr. Meloni to meet as a committee to come up some guidelines that the Board can vote on next month. Ms. Debra Tharrington, representing Councilmember VanBramer, stated that VanBramer has introduced legislation that will require a bicyclist to wear a reflective vest and use reflective gear.

#### **BUSINESS SESSION:**

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

Ms. Lucille Hartmann, District Manager, reported that in Board members folders there was a flyer from HANAC regarding information on the new Senior Housing and also on the services provided for the caregivers who are caring for anyone with a chronic illness, Alzheimer's or dementia. Ms. Hartmann encouraged those in need of this service to take advantage of them. She also reminded the Board that any member that has not responded to the Noguchi Museum's invitation to a private reception of the current exhibit Civic Action: A Vision for L.I.C., with the artist to please do so. The reception is scheduled for Wednesday, April 11<sup>th</sup> at 6pm. Please call the Board for more information. She went on to say that Mr. Joseph Risi asked her to let the Consumer Affairs Committee know that there will be a meeting on April 10, 2012 at 6:30pm at the Board office. A memo will be sent out.

Ms. Joan Asselin, Chair of Environmental Protection Committee, reported that she and Ms. Hartmann met with NRG and they are waiting for a contract to repower. There was a flyer in the Board members folder with more information on the project. She stated she didn't feel that they learned much at the meeting, except that they are proposing to lower emissions.

Ms. Linda Perno, Chair of Education Committee, reported that they are proposing to close LICHS and Bryant HS at the end of the 2012 school year. If approved all the current non-graduating HS students will be attending new HS, which is at the same location site. These HS will be opened in 2012-2013 school year. There will be a meeting at Bryant HS on April 3<sup>rd</sup> at 6pm, 44-10 31<sup>st</sup> Avenue in Queens. Ms. Perno stated that her concern is will all students be guaranteed a seat in the new school year. She would like to have a meeting within the next couple of months with the committee. Mr. Donato went over the reason why this is happening to schools. Ms. Perno added that a couple of months back the School Chancellor was the guest speaker at the Astoria Civic Association and stated that there is a new program. There was further discussion of the process of opening a new school in an existing school building. Ms. Evie Hantzopoulos stated that this not helping the student and it pushes teachers out.

Mr. Richard Khuzami, Chair of Parks & Recreation/Cultural Affairs/OTB Committee, reported that Board member should have a flyer in their folders on Going Green in Queens 2012 on Saturday, March 24<sup>th</sup>. He has attended pass events and there were a lot of exhibitors from energy saving to organic farming for the greening of Queens. He suggested that people should go to and attend. He added that the Board has had good fortune of having a fellow from Pratt Institute who is studying City Planning and she has been working with the CB1. One of the projects that she has undertaking is the development of a roster of various cultural agencies, creative people, artists, funders, and venues within our district. This is to begin the ability for us to function and give input into the cultural life of our community. They will be having a committee meeting on April 30, 2012 when they will be presenting her work.

Mr. Jose Batista, Chair of Youth Committee, reported that the Summer Youth Program will be starting to accept application for the Summer Youth Jobs in mid-April and there will be a 5 week period to submit. The program expect to have more slots to open up this year and they are looking to get more groups to participate in the program.

Mr. John Carusone, Chair of Zoning & Variance Committee, reported that there was a Zoning Committee meeting on March 8<sup>th</sup> and they met with Director John Young from City Planning regarding Steinway/35<sup>th</sup> Avenue regarding application. He was hoping that they would enlarge the study area of the proposed project area. There have been a lot of changes going on around 35<sup>th</sup> Avenue with Kaufman Studios and the residential use. He believes the study should be more than what is being proposed by the applicant. He motioned that the Board write a letter to City Planning after he meets with the committee to enlarge the study area from what is being currently being proposed, seconded by Ms. McDonald. Mr. Donato welcomed back Joy Chen from City Planning. Mr. Donato asked if Ms. Chen had any information on the study. Ms. Chen stated that they will be meeting tomorrow with the developer and she will raise the committee's concerns. She also wanted to mention that this is a private developer; it is not something that the City is proposing. They will take into consideration everything that was said at the next committee meeting and she will get back to the Board as soon as she can in strategizing the next step. Ms. McDonald suggested that the letter be emailed to City Planning since Mr. Carusone suggestion would not hamper their project. Mr. Donato asked that the Committee come up with something that the Board could vote on at the next meeting.

**NEW/OLD BUSINESS:**

Ms. Linda Perno reported that the Astoria Civic Assn. will be holding their Annual Scholarship Dinner Dance on Saturday, March 31, 2012 this will be their 79<sup>th</sup> Anniversary.

Ms. Rosemarie Alaforgiannis stated that the SHAREing and CAREing Annual 5K run in honor of Senator George Onorato, this year it will be held at Aqueduct Race Track on Sunday April 22<sup>nd</sup>. In addition, to the entry fee of \$25 to participate in the race there will be a luncheon in the Equestrian Dining room for an additional fee. For more information you can call 718-777-5766

Ms. Evie Hantzopoulos stated the Greening Western Queens Fund from Con Edison created from the settlement from the blackout in 2006. Part of this fund is to support projects by non-profit organizations that will create a more sustainable and green western Queens. It is specifically targeting the area that was affect by the blackout in 2006. Organizations like Queens Public Library, Sunnyside Services, and Global Kids to do work in a number of areas such as green gardening, green composting, green jobs, retrofitting the Queens libraries, and several other programs. Over the next two years they will also be providing training around environmental issues such as air quality and pollution. She stated that they will be doing a 2-week training institute and are in need of a space to house the program in July for 2 staff and 12-15 youth leaders. Mr. Donato asked if she would provide Ms. Hartmann some information on what is need in writing to put in the next meeting's folders. Ms. Hantzopoulos stated that she will provide a list of the information.

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