

**REGULAR BOARD MEETING  
AND  
INFORMATIONAL PUBLIC HEARING  
DECEMBER 3, 2015**

**BOARD MEMBERS PRESENT:**

B. Braton, J. Caruso, D. Gilmartin, M. Ali, A. Cosentino, C. Malizia, A. Antonino, E. Holland, M. Vecchio, H. Kamph, A. Gellineau, P. Granickas, D. Quintana, P. Baumann, L. Amorim, J. Quijano, A. Bellantoni, F. Dardani, I. VanPutten, J. Fazio, L. Gerardi, J. Ariola, J. Patron, B. Ramsundar, M. Salim, D. Sookram Singh, R. Ciulla-Frisone, N. Santiago, G. Russo, R. Martinez, I. Dimoh, J. Calcagnile, R. Hitlall, M. Finnerty, G. Duldulao, J. Cavanagh

**BOARD MEMBERS NOT PRESENT:**

N. Beneduce, P. Ellison, R. Ferrara, P. Lynch, S. Pace, L. Walker, D. Mitchell

**COMMUNITY BOARD 10 STAFF PRESENT:** K. Petersen, DM; M. Turso

**OTHERS PRESENT:** Hon. P. Goldfeder; Hon. R. Wills; P. McCabe, Rep., Hon. J. Addabbo; K. Jean Baptiste, Rep., Hon. J. Sanders; L. Fogal, Rep., Hon. M. Miller; M. Cano, Rep., Hon. D. Weprin; E. Shvartsman, Rep., Hon. P. Goldfeder; S. Simonetti, Rep., Hon. E. Ulrich; L. Patterson, Rep., Hon. R. Wills; J. Rose, Rep., Hon. R. Wills; D. Brown, QBPO; S. Zahn, NYSDEC; J. Field, NYSDEC; L. Baron, USACE; J. Neresian, GNRA; D. Taft, GNRA; E. Sendich, GNRA; G. Goll & M. Paist-Goldman, Princeton Hydro; E. Pilman, Rep., E. Palatnik, P.C.; D.I. J. Schiff, C.O. 106 Pct.; Det. B. Reddick, 106 Pct., S. Austrie, rep. Resorts World Casino LLC

The Chairperson began the meeting at 7:45 P.M. and asked that everyone stand for the Pledge of Allegiance. She acknowledged the presence of Assembly Member Philip Goldfeder and invited him to speak. The Assemblyman thanked everyone for his or her service to the community. He stated that grant programs are available and urged groups to take advantage of them. He spoke about the transportation issues in southern Queens. He again thanked the Board members for all of their work throughout the year and wished everyone a happy and safe holiday.

The Chairperson then acknowledged Patricia McCabe, representing State Senator Joseph Addabbo, Jr. Ms. McCabe stated that the Senator is sorry he was unable to attend the night's meeting however he was in Washington, D.C. for a policy briefing and then a Christmas party at the White House. On his behalf, she wished everyone a Merry Christmas, Happy Hanukah and peace. The Chairperson acknowledged Mr. Kevin Jean Baptiste, representing State Senator James Sanders who wished everyone a happy holiday and announced that there will be a Senior Resource Expo on December 18<sup>th</sup> from 12 pm to 3 pm at St. Anthony of Padua Church, 127-14 135<sup>th</sup> Avenue in South Ozone Park. The Chairperson next acknowledged Ms. Linda Fogal, representing Assembly Member Mike Miller who announced that the Assemblyman will be hosting a holiday party at the Avenue Diner in Woodhaven on December 14 from 6 pm to 8 pm and invited all to join in. The Chairperson acknowledged Maricela Cano, representing Assembly Member David Weprin who announced a holiday toy drive hosted by the Assemblyman, which will run until December 18<sup>th</sup>. There are two drop-off sites, with one being at the Richmond Hill District Office at 111-12 Atlantic Avenue, Suite 5. The Chairperson acknowledged Sal Simonetti, representing Council Member Eric Ulrich who announced that the Councilman would be hosting a holiday party on December 17<sup>th</sup> from 6 pm to 9 pm at Oak Ridge. The Chairperson also acknowledged the presence of Eugene Shvartzman, representing Assembly Member Philip Goldfeder.

The Chairperson opened the Informational Public Hearing regarding the Spring Creek South FEMA HMGP Project. Ms. Joanna Field, Marine Resources Biologist, Division of Fish, Wildlife and Marine Resources for DEC began the presentation. She and her team, which included Steve Zahn of DEC, Lisa Baron of the US Army Corps of Engineers (ACE), Jennifer Nersesian, Emina Sendich, and Dave Taft of the National Park Service along with Geoff

Goll and Mary Paist-Goldman of Princeton Hydro. Each member of the team gave their respective portions of a PowerPoint presentation, with regard to the preliminary concept plans for the project. The project area is located in the Spring Creek section of Gateway National Recreation Area abutting Howard Beach west of Crossbay Blvd. The project's intent is to reduce future disaster damages in the community and to complement other projects such as those proposed by the Howard Beach NY Rising Committee. They reviewed the Phase 1 status and progress. Necessary agreements between USACE and NYSDEC have been executed and sampling permits have been obtained. In September, a contract was awarded to the consultant team. The scope of work included data collection. Fieldwork to establish baseline conditions began in October and will continue through February. Data gathered relating to elevation, biota, soils, substrata, sea level rise, water modeling, and economics will inform the next round of concept plans.

Also reviewed was the baseline data collection that occurred in October and November, which included biological surveys, tide gauges and current meters, and aerial surveys. Baseline data collection in December will relate to topographic surveys. In January and February, soil borings that are part of the geotechnical investigation will occur. The work will not impact on the neighboring residential community and will last 2-3 weeks. Also occurring in January and February will be soil sampling work related to establishing the contaminant characterization. The work will take 5-6 weeks.

Information was presented on the three Phase 1 preliminary concept plans. The concepts discussed are preliminary; they reflect the "big ideas." They are the starting point for further evaluation and these concepts involve a combination of nature-based features and non-natural measures aimed to manage coastal storm risks as well as to provide ecosystem benefits and enhance resiliency. The differences in the three preliminary concepts are that they vary in the level of excavation and soil movement.

The next steps as this project moves forward are that community comment and comment from the agencies involved will be reviewed which will lead to a refinement of the concepts and a more detailed evaluation. Comment on the information presented is due by Dec. 17<sup>th</sup>. Comment should be sent to: Lisa Baron, Project Manager, USACE, at [Lisa.a.baron@usace.army.mil](mailto:Lisa.a.baron@usace.army.mil). The final step will be that a single concept to evaluate in greater detail will be selected and they will be back before the Board and community for further discussion throughout the process.

The Chairperson asked if there was anyone from the public who wished to speak. There were none. The Chairperson closed the public hearing and opened the floor to comment and questions from Board members. Discussion ensued. Some of the discussion focused on possible future Gateway activity and increased access to the area. Before ending the discussion the Chairperson reiterated the Board's position that the provision of increased storm protection is the Board's primary concern. While it may make sense to provide in this plan for space for future park usage in Spring Creek, the Board and the community we represent would require that Gateway first fully fund and complete major upgrades to the lands in our community currently in use at Charles Park and Hamilton Beach Park before any plans by Gateway for Spring Creek are developed and/or implemented and that any such plans be reviewed with the local community in Howard Beach. The Chairperson specifically asked and ascertained that the funding for the coastal mitigation project from the FEMA HMGP does not include future park amenities that space might be provided for. The Chairperson requested that any Board members with comments they wished incorporated into the Board's comment on the project to get it to her by Dec. 15<sup>th</sup>. The Chairperson thanked all involved in the presentation for the information provided.

The Chairperson then opened the Public Hearing for the evening regarding BSA Cal. No.: 201-97-BZ, 119-02 Rockaway Boulevard, South Ozone Park. A variance application was filed before the Board of Standards and Appeals. This application seeks to reopen and amend a variance previously granted under Cal. No. 201-97-BZ and seeks to amend the variance for the newly created bulk non-compliances and eliminate the term of the variance, which is set to expire on June 23, 2023, as the Use Group 6 drug store is now permitted as-of-right. Since the grant of the initial variance, the premises have been rezoned from an R3-2/C2-2 to an R3-2 district with a C2-3 commercial overlay and thus the variance is no longer needed. Representative from Eric Palatnik, P.C., Eric Pilman, gave the presentation on behalf of the applicant. He gave a brief history of the site and requested the board support amending the variance to reflect the bulk non-compliances, which includes a 4 foot by 8 foot side yard on the south side of the property. The requirement is an 8-foot side yard. They would have to cut 3 feet from the building on the south side facing away from Rockaway Blvd. Also, there is non-compliance because of street trees as there is only one tree towards the corner of Lefferts Blvd. and Rockaway Blvd. Based on the new zoning, there needs to be one

tree every 25 feet. Lastly there is no loading berth and zoning requires a loading berth. Parking is an issue as there are only 21 parking spaces and 25 spaces are required. They seek to eliminate the term of 25 years that is to expire in 2023 so that the client does not have to return to the BSA in 2023 to seek renewal. The Chairperson asked if there were any questions or comment from the public. There were none. The Chairperson closed the public portion of the meeting. She then opened the floor to Board members and asked if there were any questions or comments. There were none. The Chairperson turned the meeting over to the Land Use Chairperson for a recommendation. The Land Use Chair stated that there was a Land Use Committee Meeting where a quorum was present to review this application. He stated that the committee fully understands the position of the owner and the reasons for filing for this BZ case. He said the committee's vote was unanimous in favor of granting it, however, there were some conditions the committee felt should be outlined and presented to the BSA. The Land Use Chairperson reviewed the conditions that more street trees be planted, that cleaning and restoring of on-site plantings be enhanced, and that all fencing be repaired. Mr. Calcagnile made the motion to recommend approval with the conditions as outlined. The motion was seconded by Mr. Cosentino. There was no discussion, all were in favor with 0 abstaining, 0 opposing. Motion carried.

The Chairperson continued with the regular order of business. She asked if there were any additions or corrections to the November minutes. There were none.

CORRESPONDENCE – The Chairperson reviewed incoming correspondence for the month of November 2015, which included:

- Notice from the DOT relating to the downtown Jamaica transportation study.
- “Thank you” note received from Philip Granickas.
- Notice from the New York State Department of Environmental Conservation in regard to Calpine JFK Energy Center.
- Notice that there will be another meeting of the Community Advisory Committee in regard to Cross Bay Blvd. Q52 and Q53 Select Bus Service.
- Comments were submitted in regard to the Sandy repair at the Wildlife Refuge West Pond.
- Copy of letter Council Member Ruben Wills received in regard to Sheltering Arms, the juvenile justice facility.
- Application for a Car Service at 101-20 Liberty Avenue, new base station. Their off-street parking is acceptable. They have received the “Letter of No Objection”.
- Letters from DOT regarding speed hump requests. These requests will be reviewed either at the January or February meeting.
- Notice sent to the State Liquor Authority objecting to a license for premises at 107-25 Liberty Avenue.
- OMB notice on work that will be done at the Sanitation Garage.
- Profiles on Parks from New Yorker's for Parks.
- Certification Notice from City Planning on the TWA Flight Center Hotel application.

The Chairperson informed Land Use Committee members that the committee will meet 1/6/16 and a quorum is required.

TREASURER'S REPORT – The Treasurer read the report of expenditures for the month of November 2015 and wished everyone a happy holiday.

BOROUGH PRESIDENT'S LIAISON REPORT – On behalf of the Borough President and himself, Dan Brown wished everyone a happy holiday. He thanked all the Board Members for their service to the community. He stated that 2 years have passed since he has been in the service of the community. He announced the Borough President's State of the Borough Address would take place on January 21<sup>st</sup> at Queens College at 10 am. It is a free event. For more information, visit the website, [www.Queensbp.org](http://www.Queensbp.org). He commented on the Hurricane Relief Program and stated that the Build it Back Program will be finishing up its single-family home program in a year's time at the end of 2016. Anyone with any concerns or problems regarding the Build it Back Project should give him a call. He stated that if you had originally been turned down, there are now changes in the program that could help. Mr. Brown can be reached at 718-286-2853. Chairperson Braton and all those in attendance thanked Mr. Brown for his service to the community.

DEPARTMENT OF CITY PLANNING REPORT – No report

DISTRICT MANAGER'S REPORT – No Report. The District Manager wished everyone a happy holiday.

CHAIRPERSON'S REPORT – The Chairperson acknowledged the presence of Sasha Austrie representing Resorts World Casino. The Chairperson reported that work is occurring at the casino as Electronic Table Games are being installed. A new retail outlet has opened there, a crystal shop. The casino's Christmas tree was lit. The Board's Aqueduct Chairperson participated in that event. There will be more construction going on over the next few weeks as more electronic table games are installed in other areas of the casino. As far as security is concerned, the Board has been informed that they are testing some cutting edge electronic surveillance type devices to provide additional security. Later on in the spring, Resorts will be a focal point at a NY Problem Gambling Association event. They are developing new ways to deal with the issue of problem gambling and will be presenting information there. There will be more information on that as it gets closer to the event. At the last Borough Board Meeting, the Board opposed the two text amendments that were up for consideration. Following the Borough Board, the Borough President held her Land Use Public Hearing and she has submitted her recommendation to City Planning in opposition to both text amendments. The Chairperson commented that Dan Brown has done an excellent job on the Hurricane Task Force over the last two years and at the last meeting there was a lengthy presentation with regard to what has been happening since Hurricane Sandy. The Chairperson stated that there are 48 elevations currently planned or underway in the Howard Beach area plus rehabilitations and rebuilds. There are still challenges in the program. Anyone that has concerns should contact Mr. Dan Brown. She reported the monthly 311 stats. With regard to other projects going on in terms of resiliency, the Chairperson provided some updated information on the projects proposed by the NY Rising area committee. The West Hamilton Beach Volunteer Fire Department is close to having a work order executed for a full design and construction. The project will include new windows, flood proof doors, a backup generator and a back flow preventer in the firehouse. Hopefully it will go out for bid in the spring. With regard to the upper Hawtree Comprehensive Coastal Prevention Study, they are in the final stages of contract negotiations with ACE and DEC. The goal is to include this in the ongoing work at the Spring Creek South that was discussed this evening and funding will go to the Army Corps of Engineers (ACE) to do a study and propose the interventions. Hopefully they will sign off on it. With regard to the Upper Spring Creek, north of the Parkway are awaiting cost refinement from ACE for betterment of the location. This is Parks Department land and DPR won a federal grant for the project. They expect the revised cost to be provided in early December and NY Rising is funding the design and once they get the final quote they will move forward. The Governor's Office of Storm Recovery is partnering with the New York City Small Business Services to execute the Business Prep Program. The community is only paying a portion of the total project cost citywide so there is a cost saving to the NY Rising Committee. The State expects the SBS to launch outreach and marketing in the community soon and the community will be alerted to that. The program will include community outreach marketing, web-based tools where small business owners can access e-learning guides on resiliency and emergency preparedness and learn about improvements that can enhance the resiliency of their businesses. She continued, giving more information on the program. Catholic Charities was selected to be the recipient to be the community center hub. NYFAC will be one of the satellite centers. The Chairperson wished all a happy holiday.

LAND USE – The Land Use Chairperson announced that there would be a public hearing regarding the TWA Flight Center Hotel Project at our January 2016 Meeting. Notices will be sent out to all Land Use Committee Members indicating that there will be a Land Use Meeting on Wednesday, January 6, the day before the January 7<sup>th</sup> Regular

Board Meeting. There will be a full presentation to the Board by the developers. Community Boards 10, 12 and 13 will be reviewing this project. He wished everyone a Merry Christmas and Happy New Year.

OLD BUSINESS – None

NEW BUSINESS – None

PUBLIC FORUM - Resident Lorenzo Williams commented on the need for a speed hump on 135 Place between Sutter Avenue and 133<sup>rd</sup> Avenue and was disappointed that the request was denied. The chairperson said that DOT would be asked to take another look at that location.

Chairperson Braton adjourned the meeting at 9: 24 P.M.

Respectfully submitted by

MaryAnn Turso

Draft. Subject to approval.