

MINUTES OF COMMUNITY BOARD 11
GENERAL BOARD MEETING

DATE: December 7, 2015

PLACE: M.S. 158
46-35 OCEANIA ST.
BAYSIDE, NY 11361

ATTENDANCE:

Christine L. Haider, Chair	Present	Laura James	Present
Sila Asa	Present	Mohan Jethwani	Present
Edith Basom	Present	George Karahalis	Present
Steven Behar	Present	Anthony Koutsouradis	Absent
Lana Bind	Present	Linda Lee	Absent
Susan Cerezo	Absent	Robert Liatto	Absent
Ocelia Claro	Present	Janet McEaney	Present
Paul DiBenedetto	Absent	Melvyn Meer	Present
Mary Donahue	Present	George Mihaltzes	Present
Henry Euler	Present	Eileen Miller	Present
Mario Ferazzoli	Absent	Douglas Montgomery	Absent
Joann Ferrari	Absent	Steven Newman	Absent
Sonya Fierro-Gladwin	Absent	Allan Palzer	Present
Jack Fried	Present	Chris Petallides	Present
Alim Gafar	Absent	Stephen Pivawer	Present
Joan Garippa	Present	Christina Scherer	Present
Roy Giusetti	Present	John Shehas	Present
Lawrence Gresser	Present	Jessica Sin	Present
Bernard Haber	Present	Joseph Sollano	Present
Zion Halili	Present	Jyothi Sriram	Present
		Alex Yagudaev	Present

ALSO PRESENT:

Susan Seinfeld	District Manager, Community Board 11
Christina Coutinho	Community Associate, Community Board 11
Devin Wellspeak	Representing Congress Member Grace Meng
Steven Behar	Representing Council Member Barry Grodenchik
P.O. John Erdman	111 th Precinct, Community Affairs Unit
Jeong An Chio	Representing the Office of the Queens Borough President
Scott Solomon	Representing the Dept. City Planning
Aaron Siegel	Representing Assembly Member David Weprin
Anne Marie Boranian	Representing the Office of the Queens Borough President
Jason Anthos	Representing Assembly Member Ed Braunstein
Caitlin Brandon	Representing Senator Tony Avella

The meeting was called to order at 7:30 pm by Chair, Christine Haider.

The Chair led the audience in reciting the Pledge of Allegiance.

Mrs. Haider introduced newly-elected Council Member Barry Grodenchik who stated that the District Office located at 73-03 Bell Blvd. is open. He attended a Stated Council meeting today and legislation was passed that allows private schools with more than 300 students to apply for funding for security. Mr. Grodenchik discussed Board Member applications that are up for renewal and how the Board needs additional members.

Mrs. Haider introduced P.O. Officer John Erdman who gave the monthly crime statistics report for the District.

P.O. Erdman discussed how to protect yourself and your home during the holiday season. A question and answer period followed.

PUBLIC PARTICIPATION

Maryanne Mazzarella stated that her community was very upset about the proposal for a new high school at the former Bayside Jewish Center and asked the Community Board to stop requesting a new high school in the budget requests.

Chadney Spencer, President Northwest Bayside Civic Association, stated that he has received several complaints in regard to traffic flow in the vicinity of P.S. 159. He said that he has filed several complaints with the DOT and wanted the Community Board to be aware of the situation.

PRESENTATION

David A. Fishman, M.D., Director, Cancer Center, New York Presbyterian Hospital/Queens gave a presentation about the Women's Risk Assessment and Cancer Prevention Program offered at NY Presbyterian Hospital. He discussed the extensive clinical program that focuses on the detection of at-risk women for certain cancers.

ACCEPTANCE OF MINUTES

A motion was made to accept the minutes of the Dec. 7th meeting. There was one correction. The motion was seconded by John Shehas. The minutes were accepted as corrected.

CORRESPONDENCE

Christine Haider made the following announcements:

The community is very pleased that the SCA withdrew their application for a proposed high school at the Bayside Jewish Center site.

Mrs. Haider congratulated Bayside Hills Civic Association for a successful Holiday Ceremony on Sunday, Dec. 6th.

The Hollis Hills Civic Association will be conducting their annual Tree Lighting Ceremony on Friday, Dec. 11th at 6:00 pm at Union Turnpike and 220 Street.

The Hollis Hills Civic Association and the Chabad of Eastern Queens will be conducting their annual Menorah Lighting on Sunday, Dec. 13th at 4:30 pm at Union Turnpike and 220 Street.

Several Board members attended the Holiday Parade on Bell Blvd. last Sunday.

Mrs. Haider stated that there are flyers on the piano for upcoming events.

The Executive Board and Susan Seinfeld will be reviewing the composition of the CB11 committees.

The Board received a letter regarding the 3rd Annual NYC Neighborhood Library Awards. The Charles Revson and Stavros Niarchos Foundations will give five branch libraries \$20,000 grand prize awards and five runners-up will receive \$10,000 each. This announcement was sent to Board Members on Dec. 3rd. Mrs. Haider encouraged everyone to nominate a library for this award. The Deadline is Dec. 18th.

The developer of the former Keil's property, on the south side of 48 Avenue, has paid \$200,000 in fines for illegally removing City trees.

Today, Dec. 7th, is Pearl Harbor Remembrance Day.

Mrs. Haider said that prior to tonight's meeting, she attended the monthly Borough Board meeting and Parks Commissioner, Mitchell Silver, gave a presentation on his initiative "Parks without Borders". She will request the presentation be forwarded to Board Members.

Steven Behar has resigned from the Board to work with Council Member Barry Grodenchik.

Mrs. Haider wished everyone and their families Happy Holidays and a very happy and healthy New Year.

COMMUNITY BOARD DISCUSSION

Henry Euler stated that on Wednesday, December 16th at 9:00 am, the City Planning Commission will be holding hearings regarding the Mayor's two zoning proposals; Quality and Affordability Text Amendment and Mandatory Inclusionary Housing Test Amendment. CB11 voted against both proposals. He urged everyone to attend the hearing or write letters regarding these two proposals. Mr. Euler stated that recently CB11 was nominated a Tree Friendly Community by the New York State Dept. of Environmental Conservation. He stated that a sign and flag were supposed to be delivered; however, to date they have not been received.

Steven Behar stated that after six years, he has resigned from the Board. Mr. Behar has accepted a position as Counsel to Council Member Barry Grodenchik. He spoke regarding his term as a Board Member.

Mel Meer made reference to the public speaker regarding the Board's request for a high school in the District be eliminated from their Capital Budget requests. Mr. Meer stated that the Board should request enrollment restrictions on the high schools already in the CB11 area. Mr. Meer spoke about the improvement of supermarket services with the opening of Stop and Shop in the Bay Terrace Shopping Center. He also discussed the NY Community Aviation Roundtable. As the CB11 representative, he has concerns with the difference in the way issues at JFK are being handled in comparison to the handling of issues at LaGuardia Airport.

Janet McEaney reiterated the issues Mel Meer addressed regarding the Aviation Roundtable. Governor Cuomo had the idea that there should be one Roundtable but two committees, one for each airport. JFK has many more issues with truck traffic, etc. She stated that at this point, there are really only two separate committees and a lack of concern for the issues at LaGuardia Airport. Mrs. McEaney said there should be two separate roundtables. She and Mel Meer will work in concert to affect positive change and suggested an Aviation Committee meeting be held after the holidays. She also spoke about the traffic concerns and safety hazards in the vicinity of P.S 159.

PUBLIC HEARINGS

BSA 227-10BZ/BP Gas Station – 204-12 Northern Blvd. – an application to amend the current ten-year variance term for improvements to the BP Gas Station. Michael Nacmias of Eric Palatnik, P.C. represented the applicant. The current variance was granted in 2011 and expires in 2021. They are seeking to remove and replace the underground tanks, install a canopy, legalize the current curb cuts and install a handicapped parking spot as required by law; this will result in six regular parking spaces

instead of the current eight spaces. CB11's East Flushing/North Bayside Zoning Committee met with the applicant's representative in May of 2015. Several issues arose; the most important was regarding parking on the site. There was a discrepancy in the application which showed 14 spaces when in actuality, it was six to be located at the rear of the site. Mr. Nacmias visited the site prior to the Board meeting as District Manager, Susan Seinfeld, had advised him that "junk" cars were being stored on the property. He did observe this condition. He spoke to Mr. Palatnik and BP representatives. All are in agreement that they will strongly advise the operator that they cannot store vehicles. Another issue raised at the May meeting was storage containers on the property, which have been removed. Mr. Nacmias stated that the removal of the underground tanks will be done under State and City guidelines by a licensed contractor. All graffiti has been removed. The 8' high fence on the western lot line is owned by the adjacent property. There is also a 4' high fence with opaque slats on top of a 5'6" tall masonry wall along the south lot line (rear of property). The renovations are expected to take six to eight weeks. The waste oil container will remain where it is now. There will be 2 rolling dumpsters. The convenience store will not be open to public but for customers who are waiting for service. The site was closed twice since BP acquired the property; once to change signage and the other time for electrical work. The new canopy will be 17'10" with all lighting directed downward and not shining on the adjacent properties. The hours of operations for gasoline sales will be 24 hours per day, seven days per week and repair hours will be 8 a.m. through 7 p.m. Landscaping will be maintained along the perimeter wall.

Mandingo Tshaka spoke regarding the proliferation of automobile-related businesses allowed on the south side of Northern Blvd. in this area of Bayside. Mr. Tshaka pointed out that the former Getty gas station had operated illegally without a valid variance for a period of 10 years. He said that he and Henry Euler had gone to the BSA to complain about the station. Getty was given two months to file under the former zoning resolution. It took them a year; so they ended up filing under the new resolution. Mr. Tshaka said there are no unique characteristics about this site which is a requirement pursuant to the zoning resolution. He said sites in this area continually get approved due to racism.

Henry Euler read a letter from Terri Pouymari, President, of the Auburndale Improvement Association. The letter cites many concerns regarding this gas station. The Auburndale Improvement Association urged CB11 to reject this application. A resident of 45 Road and 204 Street spoke regarding a vehicle parked for a month with Michigan plates and two damaged vehicles that were parked on 45 Road. The gas station parks these types of vehicles on the surrounding residential blocks. The 111th Precinct was contacted and after Officer Rosa spoke to the station operators these vehicles were moved. Another resident stated that the store associated with the service station is never closed.

Second Vice Chair and Zoning Committee Co-Chair, Ocelia Claro reviewed the committee report of May 27, 2015 and subsequent related matters which the applicant representative addressed earlier. Mrs. Claro reiterated the complaints of the adjacent residents. Mrs. Claro stated that she visited the site at 12 noon and counted 10 cars parked on the west, 3 on the south, and 3 along the east wall as well as wrecked vehicles parked on the site. One of the dumpsters had rolled all the way out to the sidewalk next to the air pump which had a car parked in front of it. Mrs. Claro stated that due to the expanse of the west wall, there were no guarantees that cars would not be parked there.

Christine Haider said she visited the site on Saturday, December 5, 2015, and there were five wrecked vehicles parked on the east side of the property that cannot be moved due to their poor condition. Mrs. Haider has photos of this condition. Mrs. Claro also stated that vans that park overnight on this property. Mrs. Haider was told on her visit that the operators received rent for the vans parking on the lot. Mr. Nacmias said that he has had many conversations with BP and if the operator cannot conform,

they may have to find a different operator. He said BP is looking to make the site better cosmetically. Derelict vehicles should not be there and cars should not be parked on surrounding streets. He and BP would support any language regarding conditions for approval of this application.

Mrs. Claro said that the Committee was originally going to recommend approval of this application; however, in view of all the developments over the last few months, they cannot recommend approval. A motion was made to approve the application to amend the current 10-year term of variance. The motion was seconded by Mohan Jethwani. Board Member discussion ensued. Items such as length of operator lease and number of service bays were raised. A roll call vote was taken resulting in 0 yes, 29 no. All were opposed. The motion was defeated.

BSA 364-82BZ/24-Hour Fitness – 245-24 Horace Harding Expressway – Jeremiah Candreva, representing Bally Total Fitness, spoke regarding 24-Hour Fitness, (the former Bally's) which has over 400 locations in the U.S. They do not operate 24 hours per day at this location. The only change to the variance will be the name of the operator and their business signs. In addition, they need time to obtain the updated C of O with the conditions requested by the Dept. of Buildings and BSA. There is a one year time frame allowed to obtain the C of O. Mr. Candreva explained that since many existing violations were issued to other stores in the same commercial strip, it is an involved administrative process.

Joan Garippa, Co-Chair of the Little Neck Zoning Committee, stated that the Committee met on November 9, 2015 to review this application. Mrs. Garippa read the committee report. The motion was made to approve the application for the extension of time to obtain the C of O and to replace the signage. The motion was seconded by Bernard Haber. A roll call vote was taken resulting in 25 yes, 0 no. All voted in favor. The motion carried.

BSA 67-91BZ/Gulf Gas Station – 260-09 Nassau Blvd. – Michael Nacmias of Erik Palatnik, P.C. represented the applicant. Mr. Nacmias explained that this variance application seeks to demolish the existing 2,500 s.f. auto repair facility and replace it with an 1,800 s.f. convenience store, Bolla Market. Mr. Nacmias said the new station will be run by Harry Singh, who runs some of the best and cleanest stations in the State. The market will have six parking stalls, one which will be ADA-compliant. There will be a 17'10" canopy with lighting that will not protrude past the property lines. The application also includes the installation of new gas pumps with the Shell Gas label. They are proposing to erect a retaining wall along the eastern lot line, add new planters, relocate one curb cut and remove another; there will be three curb cuts. They will operate 24 hours, 7 days per week. As requested previously, there will still be push buttons on the gas pumps to call for assistance. Work would take 2-3 months. There were no registered speakers. Mr. Palzer said that Mr. Singh owns 14 or 15 stores in the area. He said they have a good reputation. Bolla Markets do sell beer. Mr. Palzer stated that the Little Neck Zoning Committee approves this application. A motion was made to approve the application to demolish the auto repair building, build a market and install new gas pumps. John Shehas seconded the motion. Roll call vote was taken resulting in 26 yes, 0 no. All voted in favor. The motion carried.

Transportation Committee – Co-Chair, Chris Petallides gave the information regarding the speed bumps and one-way requests that were discussed and voted on at the Transportation Committee meeting that was held on November 9, 2015. Mr. Petallides gave an overview of the procedure used regarding speed bump requests and one-way requests. Three locations for speed bumps were reviewed at the meeting. Two of them were approved: Commonwealth Blvd. between Cullman Avenue and Union Turnpike and 191 Street between 42 Avenue and Station Road. One was not approved – West Drive between 38 Road and “the Bend” in Douglas Manor. Three one-way proposals were also reviewed.

All three were tabled; 194 Street between Northern Blvd. and Station Road pending further opinion from the Auburndale Improvement Association, 53 and 54 Avenues between Springfield Blvd. and 217 Street pending further information from DOT and 215 Place between Northern Blvd. and 46 Avenue. DOT extended this proposal south to 48 Avenue. Additional surveys will be sent to these homeowners for their opinion.

Central/South Bayside Zoning Committee - Eileen Miller, 3rd Vice Chair and Co-Chair of the Central/South Bayside Zoning Committee gave a report regarding a meeting that was held Monday, November 30, 2015, with the owner of 213-14 Union Turnpike and his representative, Richard Lobel. Originally, this building was built and obtained a C of O to be a daycare center. Now the owner, with partners who operate medical offices in the neighborhood, has decided to use the building as a medical office and proposes applying to the Dept. of City Planning for a zoning change. A medical facility is not allowed in an R2A zone. The committee unanimously disapproved that proposal. Zion Halili, Committee Co-Chair, stated there were many things that were not done correctly with this property and mentioned that the owners' properties in the area were recently raided by the FBI and are under investigation.

The meeting was adjourned at 9:34 p.m.