

MINUTES OF COMMUNITY BOARD 11 REGULAR MEETING

DATE: December 6, 2010 PLACE: M. S. 158
 46-35 OCEANIA STREET
 BAYSIDE, NY 11361

ATTENDANCE:

Jerry Iannece, Chair	Present	Eileen Kenny	Absent
Edith Basom	Present	Incha Kim	Present
Steven Behar	Present	Franklin Lloyd	Present
Daniel Berrios	Absent	Susan Macinick	Present
Lana Bind	Absent	Janet McEneaney	Present
Edward Braunstein	Absent	Thomas Meara	Absent
Rose Bruno	Absent	Melvyn Meer	Present
Robert Caloras	Absent	Eileen Miller	Present
Paul DiBenedetto	Absent	David Millet	Absent
Edward Doster	Present	Victor Mimoni	Present
Henry Euler	Present	Steven Newman	Present
Mario Ferazzoli	Absent	Dennis Novick	Present
JoAnn Ferrari	Absent	Allan Palzer	Present
Lee Fiorino	Present	Stephen Pivawer	Present
Jack Fried	Present	Andrew Rothman	Present
Joan Garippa	Present	Christina Scherer	Present
Roy Giusetti	Present	Gary Sekdorian	Present
Bernard Haber	Absent	Frank Skala	Present
Christine Haider	Absent	Mamie Smith	Present
Zion Halili	Present	Joseph Sollano	Present
Laura James	Present	Robert Speranza	Present
Mohan Jethwani	Present	Kimon Thermos	Absent
George Karahalis	Present	Stephen Tong	Present
Gordon Keit	Present	Alex Yagudaev	Absent

ALSO PRESENT:

Susan Seinfeld	District Manager, Community Board 11
Christina Coutinho	Community Board 11
Mark Scott	Representing Queens Borough President Helen Marshall
Claudia Filomena	Representing the Office of the Mayor
P.O. Schmidt	111 th Precinct
Captain Leyson	111 th Precinct, Commanding Officer
Paige Waranis	Representing Councilmember Dan Halloran, District 19
Alen R. Beerman	Representing Councilmember Mark Weprin, District 23
Jordan Goldes	Representing Congressman Gary Ackerman

The meeting was called to order at 7:38 PM by Jerry Iannece, Chair.

PRESENTATION

Captain Leyson, Commanding Officer from the 111th Precinct wished everybody a Happy Holiday. The Captain spoke about crime statistics for the City, Queens and Community Board 11. He explained that burglaries in the area have increased and that the 111th Precinct is combating this issue. The Captain explained that everybody should exercise “if you see something, say something.” He advised that if you see suspicious activity, you should call 911, not 311. Captain Leyson also stated not to leave personal items in vehicles. Jerry Iannece stated that the 111th Precinct covers one of the

largest territories in the City and thanked the 111th Precinct and Captain Leyson for doing an incredible job.

PUBLIC PARTICIPATION

1) Joe Ferrari with the NY Blood Center said that the Bayside Community Blood Drive will take place on December 27th at the Bell Boulevard LIRR station from 2:30p.m. - 7:00p.m. Mr. Ferrari gave the requirements for donating blood. He encouraged everybody to come out and help save lives.

2) Karen Pender with the Weeks Woodland Civic Association advised that they are awaiting a decision from the Manhattan Supreme Court regarding their Article 78 proceeding which challenges the legality of the scope of St. Mary's Hospital for Children's expansion. Ms. Pender also stated that the hospital employees are parking their vehicles in the residential area and blocking driveways, causing major problems for homeowners. She asked the CB Zoning Committee to discuss this case.

3) Larry Sheehan of the Little Neck Bay area stated that a double yellow line four feet wide was painted on the perimeter of the safety zone on Little Neck Parkway and the LIRR. He presented five questions to the Community Board in reference to the safety zone. Jerry Iannece stated that the Community Board had no prior knowledge of the DOT plans and that complaints have been submitted on several other issues concerning the Quiet Zone at LIRR in Little Neck.

ACCEPTANCE OF MINUTES & CORRESPONDENCE

Jerry Iannece asked for additions or corrections to the minutes from the November 8th meeting. The minutes were accepted with corrections.

Jerry Iannece said that he hoped everybody had a Happy Thanksgiving, he wished everybody a Happy Hanukkah, an early Merry Christmas, and a Happy New Year. Jerry Iannece made the following announcements:

Congratulations to the Bayside Hills Civic Association and Mike Feiner for an extraordinary holiday festival that took place on Sunday, December 5th.

Jerry Iannece also, congratulated the Bayside Business Association and the Bayside BID for doing a wonderful job on Bell Boulevard. He stated that Bell Boulevard looks incredibly beautiful with the new lights and we should all show our appreciation.

Jerry Iannece suspended the announcements to invite Councilmember Peter Koo to come up to speak.

Councilmember Koo wished everybody good health. He stated that he has been a Councilmember for almost a year. Councilmember Koo stated that he has handled many community issues and if anybody would like to meet with him to please call 718-888-8747, his office is opened from 10:00a.m – 6:00p.m.

Jerry Iannece continued with announcements.

Congratulations to the Chabad on 26 Avenue and Rabbi Yossi Blesofsky for a wonderful Menorah Lighting Ceremony on Sunday, December 5.

The applicants withdrew their application with BSA to build a hotel at 211 Street and Northern Boulevard.

The Department of Transportation has removed the “No Parking” signs on Bell Boulevard that were posted for street cleaning purposes. Jerry Iannece stated that there is no mechanical sweeper assigned to the area and keeping the signs in place for ticketing purposes is not right.

Several years ago, Lund Fire made an application to rezone the property adjacent to their facility. The Community Board demonstrated to BSA that this application was inappropriate. The applicant withdrew the application and has now reapplied with changes. The Committee meeting is scheduled for December 13, 2010.

Fairway Supermarket, the site of the old Waldbaum’s Supermarket, has applied to BSA for an amendment to the original variance to allow for signage appropriate to the use and building size.

Unfortunately, Scobee Diner, a landmark fixture in our community, has closed. Jerry Iannece stated that further information is needed as to why diners in our community are closing. The Bayside Diner had previously closed a couple of months ago.

This week, Susan Seinfeld and Jerry Iannece will be attending a meeting at Borough Hall with Queens Borough Hall President, Helen Marshall and the new owners of the Leviton property to discuss their plans. A representative from Councilmember Mark Weprin’s Office will also attend.

The 111th Precinct is having their Community Council Meeting on December 7th, 2010 at 7:30p.m.

The Community Board is holding their holiday party on January 9th at Bourbon Street on Bell Boulevard. A reminder will be mailed after the January meeting.

Gene McSweeney who represented Assemblymember Ann-Margaret Carrozza, will not be continuing his service to the community with Assemblymember Elect, Ed Braunstein. Jerry Iannece wanted to thank Mr. McSweeney for his incredible service to the community.

DSNY will not be picking up mattresses and box springs placed for disposal unless they are covered and sealed in plastic.

At the Nov 8th Board Meeting, Andy Rothman discussed information he obtained from a Town Hall Meeting conducted by Councilmember Dan Halloran on grass clippings. The Environmental Committee did their due diligence and learned that DSNY will pickup grass clippings and yard waste until implementing a recycling program. This was Karen Koslowitz’s legislation, the original legislation was amended to include grass clippings.

NEW BUSINESS

Frank Skala announced that there is a non-political party being held for Senator Frank Padavan on December 29, 2010 at Leonard’s of Great Neck on Northern Boulevard. The cost is \$65.00 per ticket.

George Karahalidis made reference to the noise and debris produced by professional lawn mowers and leaf blowers. Jerry Iannece stated that there is a certain decibel level of noise that gardeners have to abide by. If the noise is higher, they could be fined. That is a 311 complaint. Susan Seinfeld stated that this topic will be addressed by the Environmental Committee at tonight’s meeting.

Mohan Jethwani stated that vendors are not honoring the signs that are posted in windows stating that placing unsolicited advertising materials on property is unlawful (Lawn Litter Law). Jerry Iannece advised that this is a State Legislation. If the sign is posted and a flyer is left, it becomes a DSNY violation. Jerry Iannece said the problem is issuing a ticket. Mel Meer suggested sending an email to the establishment that continues to leave the materials.

Janet McEneaney stated that in front of P.S. 159Q traffic violations are not being issued. Ms. McEneaney asked for the Community Board to request NYPD Traffic Enforcement at this location. Ms. McEneaney and Anthony Koutsouradis stated that a year ago, a letter was sent to the DOT requesting an "All-Way" stop sign at 204 Street and 33 Avenue. Jerry Iannece advised them to submit a request on civic stationary to the CB Transportation Committee. Ms. McEneaney asked for information about the compost program. Jerry Iannece mentioned that there used to be a program in conjunction with the Queens Botanical Garden. Andy Rothman stated that he would speak to Ms. McEneaney after the meeting regarding composting.

PUBLIC HEARINGS

BSA Cal. No. 245-49 BZ, 78-09 Springfield Boulevard – to legalize the existing management office and cancel the term limit of the previously granted variance. Emily Simons, an attorney with Simons & Wright LLC, represented the applicant, Alley Pond Owners Corp. On June 1, 1949 under BSA Cal. No. 245-49 BZ a variance was approved. The variance inadvertently omitted the management office. The management office has been at the same location since the apartments were built. On June 1, 1959, the ten-year variance expired and was never renewed. There is no change to this office size, location, or configuration in connection to this application.

The Central/South Bayside Zoning Committee held a meeting on November 26, 2010. Dennis Novick, Chair stated that this is a simple application to legalize the existing management office. Mr. Novick said that at the committee meeting there were only two members present. Since there was no quorum, a vote was not taken.

A motion was made to approve the application, there was no further discussion regarding the motion. The motion was seconded by Steven Newman. A roll call vote was taken resulting in 30 in favor, 3 opposed. (In favor- Basom, Behar, Doster, Fiorino, Fried, Garippa, Giusetti, Halili, Iannece, James, Jethwani, Karahalys, Keit, Kim, Lloyd, Macinick, McEneaney, Meer, Miller, Mimoni, Newman, Novick, Palzer, Pivawer, Rothman, Scherer, Sekdorian, Smith, Sollano, Tong – Opposed – Euler, Skala, Speranza) The motion carried.

BSA Cal. No. 926-86 BZ, 217-07 Northern Boulevard – to extend the term of a previous variance to allow the continued use of an auto sales and service establishment. Elizabeth Safian, an attorney with Sheldon Lobel, represented the applicant, Manes Realty LLC. Ms. Safian stated that this is a dealership for the sale of automobiles and some accessory repair. The application is to extend the term of a variance that was originally granted in the 1960's. She stated that BMW temporarily vacated the property and relocated to a much larger facility in Great Neck, NY. BMW plans to return to the Northern Boulevard location in the upcoming year. When BMW returns to this location, it will be for the sale of new automobiles. Ms. Safian said that the landlord advised that the daily operation would be one third of the business that was there previously because the service component will be removed from the site. Ms. Safian stated that maintenance and repair would operate out of the Great Neck

facility, new automobile sales would operate out of the 217-07 Northern Boulevard facility, and used automobile sales would operate out of the 214-27 Northern Boulevard facility.

A resident asked for proper lighting surrounding the facility. Elliot Socci asked for the address of the Great Neck facility. Ms. Safian advised that she was not sure of the address but that it is located on East Shore Road.

Henry Euler, in place of Christine Haider, Chair read the Committee Report from the East Flushing/North Bayside Committee Meeting of November 24, 2010. A vote was taken at the Committee Meeting, four in favor and two opposed to recommend approval of the application. Lengthy discussion followed by the Board members and questions were raised regarding the term of the variance, BMW employees not respecting the residential area, what services would operate out of the location, how complaints will be handled, what would happen to the variance after 2013, as well as for many years complaints have been made against the dealership and nothing has been resolved. Zion Halili asked why BMW vacated the location and Ms. Safian stated that she believes it was because Great Neck is a much larger facility and also because of the recession. Edward Doster addressed Jerry Iannece with a request that when a vote is taken at a committee meeting that the names be listed. Jerry Iannece said that a memo would be forwarded with the request. Mohan Jethwani requested that BMW supply adequate lighting surrounding the facility and that a report be submitted to the Community Board every six months to the compliance of the requested conditions. Joan Garippa requested a friendly amendment to have a five-year term instead of a ten-year term. The friendly amendment was accepted. Motion called with three friendly amendments to accept the variance with conditions. The Friendly Amendments are – the term of the variance be changed to a five-year term, the applicant agrees to report to the Community Board every six months detailing their compliance with the terms of the conditions, and proper lighting must be installed for security purposes. Motion was seconded. Discussion ensued to the negative impact to the community if BMW was to return. Joan Garippa suggested that a detailed letter be forward outlining all the conditions. Motion was made to approve with friendly amendments and conditions. A roll call vote was taken resulting in 17 in favor, 16 opposed. (In favor – Doster, Fiorino, Fried, Garippa, Halili, Iannece, James, Jethwani, Keit, Miller, Mimoni, Newman, Novick, Palzer, Pivawer, Sekdorian, Tong – Opposed – Basom, Behar, Euler, Giusetti, Karahalis, Kim, Lloyd, Macinick, McEneaney, Meer, Rothman, Scherer, Skala, Smith, Sollano, Speranza) The motion carried.

Jerry Iannece introduced reporters for Patch.com covering Little Neck, Bayside, and Douglaston Patch. They asked if anybody had any news clippings or pictures, to contact them. Jerry Iannece thanked them for doing a great job.

COMMITTEE REPORTS

Laura James stated that there were some changes to the Education Committee report and an updated copy would be going out in the next mailing. Ms. James read the Committee Report from the November 18th meeting. Jerry Iannece stated that the Education Committee did an excellent job.

Henry Euler reviewed the Environmental Committee Report from the November 29 meeting. Mr. Euler summarized six issues that were discussed at meeting.

The meeting adjourned at 9:17 p.m.