

COMMUNITY BOARD 11 QUEENS

The City of New York

MINUTES OF COMMUNITY BOARD 11 REGULAR MEETING

DATE: March 1, 2010

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

ATTENDANCE:

Jerry Iannece, Chair	Present	George Karahalios	Present
Edith Basom	Present	Gordon Keit	Present
Daniel Berrios	Present	Eileen Kenny	Present
Lana Bind	Absent	Incha Kim	Present
Edward Braunstein	Present	Franklyn Lloyd	Present
Rose Bruno	Present	Susan Macinick	Present
Robert Caloras	Absent	Janet McEneaney	Present
Ocelia Claro	Present	Melvyn Meer	Present
James Colasante	Present	Eileen Miller	Present
Paul DiBenedetto	Present	David Millet	Absent
Edward Doster	Present	Victor Mimoni	Present
Henry Euler	Present	Steven Newman	Present
Mario Ferazzoli	Present	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	Present	Frank Skala	Present
Christine Haider	Present	Mamie Smith	Present
Zion Halili	Present	Joseph Sollano	Present
Joseph Hellmann	Present	Robert Speranza	Present
Laura James	Present	Stephen Tong	Present
Mohan Jethwani	Present	Alex Yagudaev	Absent

ALSO PRESENT:

Susan Seinfeld	District Manager, Community Board 11
Anthony Lemma	Representing Assemblyman David Weprin
Claudia Filomena	Mayor's Office of Community Assistance Unit
Michael Agnello	Representing Parks and Recreation
Janice Melnick	Northeastern Queens Coordinator Park Administrator
Mark Scott	Representing Queens Borough President Helen Marshall
Alan Beerman	Representing Councilmember Mark Weprin, District 23
Gene McSweeney	Representing Assemblywoman Ann-Margaret Carrozza

Dennis Ring	Representing Councilmember Dan Halloran
Captain Desmond	111th Precinct, Executive Officer
P. O. Bill Conway	111 th Precinct, Community Affairs
John Dorsa	Representing Comptroller John Liu
Dan Halloran	Councilmember District 19 - Bayside
Kathleen McGrath	Recording Secretary (temporary)

The Meeting was called to order at 7:35 PM by Jerry Iannece, Chair.

Mr. Iannece announced that Kathleen McGrath will be recording the minutes of this meeting on a per diem basis since Linda Vallerugo retired. He then reviewed the agenda and opened the meeting to public participation with six people registered to speak

PUBLIC PARTICIPATION:

1. Terry Bonavolonta from Con Edison spoke about two energy efficiency programs. She made available flyers for small businesses. Con Edison has hired a company by the name of Willdan to do surveys to make your business more energy efficient. They will also help you with financing and heating and cooling rebates through Con Ed. You can also switch from oil to gas and get a rebate. There was discussion about the different energy companies available and which energy company may be cheaper. It was suggested that this should be discussed after the meeting.

2. Larry Grubler from Transition Services spoke about Turn The Page, a used bookstore at 39-15 Bell Blvd which is getting a lot of community support. Students can bring in their used books and get a credit for new ones. They have book readings and book clubs. They accept donations and as a 501(c)3 they can provide acknowledgment letters for tax purposes. The mission is to raise funds to help people with psychiatric disabilities so they can return to work.

3. Jeff Shone from AFLAC, Bayside office on Bell Blvd. discussed the various insurance plans they provide for individuals and businesses. He left brochures with contact information.

4. Bob Friedrich spoke about the Special Election held between himself and David Weprin in the 24th Assembly District and the use of hate mail in that election. The mailer associated his name with a crime scene, used the word extremist with a Nazi swastika superimposed on it. He feels the introduction of hate-mail tactics into our community in order to win an election must be condemned loud and clear. He asked the Community Board to take a strong stand and pass a resolution condemning these hate-speech tactics. Chair Iannece did not think this was an appropriate matter to be taken up by the Community Board and did not entertain any motion and/or lengthy discussion on it. The possibility of sending it to an ad-hoc committee to explore this matter was left open. Chair Iannece would follow up on this issue.

5. Michael Carlin representing Bell Plaza Sports Club announced that they have recently launched a program for pre-teen and teenagers and are hoping to get into the local schools to address the issues of obesity and children’s health. They are offering free memberships at fund-raisers held at local schools, they also have fund raisers for breast cancer and hold local health fairs which are open to the public. He left contact information.

6. Mandingo Tshaka again spoke about Use Group 16, ZR 32-25, and other automobile dealerships on the south side of Northern Blvd. He explained that Use Group 16 consists of automotive and industrial uses which involve offensive noise, noxious smoke, dust, heat and glare making such use incompatible with residential uses and other types of commercial development. Mr. Tshaka expressed his disappointment that CB11 recently approved a Helms Brothers application for a 10-year extension on a pre-existing variance without going into the five findings under ZR 72-21.

7. Dan Halloran, Councilmember for District 19, spoke about the budget process and the \$14 billion NYC budget deficit. Councilmember Halloran emphasized that programs will be cut in order to balance the budget and that presently approximately 1/3 of our budget is unfunded. To close this budget gap, in addition to potential property tax increases, about 20 to 30 firehouse will close, 5,000 to 8,000 teachers will be laid off and about 2,500 to 3,500 police officers will be laid off (mostly from attrition since we are already down from 35,000 to 27,000 members of the uniform service.) Councilman Halloran explained that 1/3 of the budget is debt service, 1/3 is money spent on Federal and State programs, and approximately 80% of the remaining 1/3 of the budget, (\$20 billion) goes to salaries and funding pension/union benefits. Issues that will impact the community in the immediate future are library cuts, firehouse closures police understaffing, and water rate increases. He further stated that he met with the Borough President, went over the CB11 appointments, and that he would have control over the re-appointment of 13 members.

PRESENTATION:

Dean Cavallaro from the Department of Environmental Protection gave a PowerPoint presentation on the Oakland Lake and Ravine Project. Mr. Cavallaro reported that this project will improve the water quality of Oakland Lake by stabilizing the eroded side slopes. There are 5 sites in the project area. The project started construction in December 2009 and will be completed in about a year and 3 months. Site 1, the outlet of the lake, is ringed by phragmites, invasive plants that will be removed, the roots will be treated so they don't re-sprout, sediment that is built up along the outlet structure will be removed and planting of native species to the west and east of the outlet structure will be done. They will provide pathways to the shoreline with wood look fencing. All of the banks will be planted with native plantings. Site 2 is the area of the park facing 56 Avenue where work has started. They are replacing the fence and bollards and removing debris from the ravine. Site 3 is along 46th Avenue and Springfield Boulevard. They will retrofit 7 catch basins that are installed but are not the standard issue. The ravine will be planted with native plantings and the path that exists will be improved and lead to the Lake. Site 4 is at Birmingham Pkwy. and Cloverdale Blvd. They will rebuild the sidewalk, fortify the embankment with boulders and move the pedestrian ramp. Site 5 is on Birmingham Parkway. They will build a rain garden on the top. The water will be captured at the top and the water will infiltrate the ground and there won't be erosion. Questions were raised about the cost of the project and the timing since the City is facing budget deficits. Mr. Iannece explained that this was paid for a long time ago. He stated that Oakland Lake is one of the last glacier lakes in the City of New York and a natural treasure. This work will extend the viable life of the lake for years to come. This project is costing \$5 million, the Alley Creek Drainage project costs in excess of \$100 million. He thanked State Assembly Members Weprin, Carrozza and Senator Padavan for their assistance.

ACCEPTANCE OF MINUTES & CORRESPONDENCE

Mr. Iannece asked for additions or corrections to the minutes from the February 1, 2010 meeting. Two corrections were requested: Page 3 item 4 the third line says “they want all New Yorker to be prepared.” New Yorker should be plural. Also on page 3, paragraph 3, line 4 “are a life line for many people.” It was suggested that life line should be one word or it should be hyphenated. The minutes of the February 1 meeting were accepted with the changes.

ANNOUNCEMENTS

Mr. Iannece asked for the Board’s thoughts and prayers for the victims of this earthquake in Chile and discussed humanitarian efforts being made.

Census forms will be delivered to every household between the dates of March 15 and March 17. Be aware of scams and do not give your ID, social security number or financial information. Make sure the person asking for information is properly identified. They will only ask the number of people in the household, gender and other demographic information.

The 111th Police Precinct Council meeting is March 2, 2010 at 7:30 PM.

At the February CB11 Meeting, the issue of new voting machines was raised and a demonstration of the new machines was requested. Susan Seinfeld reached out to the Queens Board of Elections and they will be prepared to give demonstrations in the summer since they are being trained in the Spring. Unfortunately, we do not meet in the summer so other arrangements will have to be made. The new machines are very simple. There will be a sheet to fill out with ovals and it will go through a scanner.

Chair Iannece expressed concern and disappointment over municipal agencies not responding to Community Board inquiries and correspondence, but rather responding to local elected officials follow-up thereon instead. Iannece thanked our local elected officials for their support and for providing CB11 with copies of the respective reply correspondence, but wished the various agencies would respond directly to CB11.

Waldbaum’s supermarket in Douglaston has closed and the Fairway Supermarket to take its place is not expected to open for 3-4 months. Councilman Mark Weprin was to have a meeting on this, but it was postponed due to snow.

The MTA hearing in Queens on service cuts is tomorrow, please see the newsletter. The Port Washington branch of the LIRR may have reduced service on the weekends and off peak weekday service. The Q79 bus line may be terminated due to low ridership and extremely high cost per passenger.

Developer Tommy Huang has filed an application with the Department of Buildings to commence work on the 4 homes he has been trying to build for over 4 years on 223rd Street under the idea/theory of vested rights. He demolished a beautiful one-family home in East

Bayside and built 4 homes in its place. This construction has been sighted with numerous violations and Stop Work Orders. We have to pay particular attention to this person's activities. This is the person who destroyed the RKO movie theater and has a bad track record for our area. Our zoning chair will stay on top of this issue and a meeting will be convened in the near future.

The Department of City Planning asked that it be announced that on April 8 at Murray Bergtraum High School, located at 411 Pearl Street in Manhattan at 6:00 PM, there will be a presentation on the new Comprehensive Waterfront Plan. CB11 has a large waterfront area in Little Neck and Douglaston. So if anyone wishes to attend, please let the CB11 office know.

NEW BUSINESS

Mamie Smith commented on what Mandingo Tshaka said during Public Participation. She explained that at a past meeting, it was suggested that the board contact the residents in the area around Helms Brothers. Mr. Iannece said that CB11 did contact the residents, as well as the civic leader, but they did not seem to be interested. Mr. Iannece suggested that Mrs. Smith contact the civic leadership directly if she had any further inquiry. Mamie Smith also asked for help to have a street light repaired in front of 47-27 206 Street, that has been out for two weeks.

Christine Haider discussed the delay with the rezoning of the Oakland Gardens/Hollis Hills and the South Auburndale area. We had been told it would be certified in February of 2009, now it will not be certified until this April. A developer is building two huge hotels and 18 two-family attached homes at 183 Street and the Horace Harding Expressway in an R3-2 zone with a C2-2 overlay. The builder, who has permits, could lay the foundation before it is certified. The area will be devastated if the hotels are built. She explained that she has already alerted Councilman Halloran's office but the property is in Peter Koo's district and that office has been contacted and has not responded.

Susan Macinick gave a CERT update. CERT's members are certified by the State Department of Environment and Conservation for search and rescue. They have a total of 26 members. They helped the Fire Department by clearing snow from fire hydrants and have been in contact with some of the civic associations about a graffiti removal program. They have received two citations from OEM Commissioner Bruno's office.

Mel Meer agreed with Frank Skala that the Board should discuss the issue raised by Bob Friedrich. He said that the City Charter authorizes the CB to address any issue affecting the welfare of the community. Therefore, if any member of the community board makes a motion and someone seconds it then the community board has a right to speak on it.

Frank Skala requested information about the new person in charge of St. Mary's Hospital for Children. He further inquired as to the Bayside High School sign, the planned meeting with Department of Buildings on this issue, and concern over the Bayside Marina applying for a beer and wine license, when they only have beer. Mr. Skala also voiced his opinions about board member applications, Helms Brothers and the swastika mailing.

Mr. Iannece suggested that an appropriate committee could look into the matter of the motion presented condemning the mailing. He stated that this is a political position condemning a candidate for how he conducted his campaign.

Henry Euler reported that the Auburndale Improvement Association will be holding a meeting on March 16 at 7:30. John Young and Edgar Bajana will discuss the Auburndale re-zoning plan. The new meeting place is at St. Kevin's Church on 195th Street and 45th Ave. Regarding PS 130, the association has written a letter to Chancellor Klein, demanding that PS 130 be returned to the neighborhood students. It is an expense to bus them to other elementary schools. AIA is distributing flyers throughout the community encouraging parents to register their children in that school. He attended an open house on February 9, it is a wonderful school, and should be returned to the neighborhood.

Janet McEneaney discussed the prospective budget cutting and closing of libraries. She is concerned that closing the libraries on weekends will not give working adults the opportunity to use the libraries on weekends and at night. The libraries already close at 6 pm and have become after school day care facilities and not for adults. Mr. Iannece addressed this, stating that at the Borough President's budget meeting, Mr. Galante from QBPL stated that Queens is under funded, has one of the highest circulations, and has more libraries than any other county, other than Manhattan. The budget for the libraries has been cut and the largest share goes to Manhattan. He suggested that the Library Committee discuss the matter.

Ed Braunstein commented that after a campaign is over it does not seem reasonable for the Community Board to decide if the flyers were appropriate or not.

Steve Newman spoke about the letter from the Dept. of Education sent to Assemblywoman Carrozza in response to our letter about high school overcrowding. He stated that the letter discusses all of Queens, but not northeastern Queens. He suggested that we write to the Dept. of Education saying that constructing schools in southern and western Queens will not change overcrowding in northeastern Queens at Francis Lewis, Cardozo and Bayside High Schools. Mr. Newman also thought that the issue about the campaign literature is a public issue, and if someone wants to bring it up, it should be heard. He then asked that the Board request someone from the Comptroller's office or from the Office of Management and Budget to present an accurate budget report to CB11. Mr. Iannece asked John Dorsa, Comptroller Liu's representative to help obtain a speaker for the April 2010 Board Meeting.

Andy Rothman stated his concern that streets in Bayside, Douglaston and Little Neck are still covered in snow, unlike streets in Manhattan.

Victor Mimoni discussed the issue of the campaign literature. He was concerned that there is a return address with no suite number on the mailer and that is a violation of law. He believes it is a legitimate cause and wants a committee to address this matter.

PUBLIC HEARING

CAL. NO. 9-10-BZ, 231-10 NORTHERN BOULEVARD, DOUGLASTON - This is an application to restore a previously-existing variance for use as a Use Group 6 restaurant in an R1-2 zone.

Eric Palatnik, attorney for the applicant, stated that this is a variance application for the property known as the Seville Diner on Northern Boulevard just east of the Cross Island Parkway. The diner was there by variance since 1975 and that variance was the continuation of a similar commercial use that was there since 1920. The Seville diner was recently sold to Edward Chiang who owned two Chinese restaurants in Flushing and sold them to open a Chinese – Japanese restaurant here. They have applied to BSA to request permission to allow them to reinstate the previous variance for a term of 15 years to allow for continued operation on the premises. There are no changes to the footprint of the structure; it is being substantially renovated, under a valid permit issued by the New York City Department of Buildings. That permit was revoked when it was determined that there was an expired variance on the property. Mr. Palatnik clarified that the parapet is being increased by 4 feet, to get more visibility from the roadway but this is not a second floor.

No members of the public had signed up to speak. Joseph Sollano, Chair of the Douglaston Zoning Committee, reported that this is technically a new variance because of the time that elapsed between the expiration of the original variance and the reapplication. The 1975 variance was to expand the use that was a legal pre-existing condition, pre-dated the 1939 zoning resolution and certainly the 1961 zoning resolution. It is a 7,000 sq. ft. one story building with plenty of parking. The Committee agreed to a 15-year term with conditions, including that the owners need to deal with flooding situation in the southwest corner of the parking lot, the area in the front of the building should remain landscaped, a closing time of 2:00AM., that the dumpsters be kept at the rear of the property and not the front, and the parking lot should be secured when the restaurant is closed. The vote of the committee was unanimous to recommend approval of the application. Mr. Sollano, in response to questions, said that the old Seville diner was closed for a number of years, renovated and then operated for a short period of time before closing. Originally the new owner was going to build a second story. The owner met with the committee and told him that it was not a good idea. A question was raised about new Zoning regulations regarding landscaping in parking lots. Mr. Palatnik explained that this applied to new or enlargements of buildings. There is no enlargement of this building taking place. There was also discussion about the fact that the rear of the property is a wetland and some people would like the City to acquire the land as parkland.

Mr. Palatnik responded to questions about the criteria required for a variance. One, the unique condition of this property is that it is in a residential zoning district and it has been developed for the last century in a commercial capacity and there is a commercial building on it. That makes it different than other residential properties around it. Two, there is a financial hardship because of the wetlands and you cannot put pilings in the ground, so you cannot build houses and, even if you could, the cost to build houses would be extreme, because of the underground water conditions. Three, it does fit the character of the neighborhood because this section of Northern Boulevard is not a residential neighborhood, but rather commercial.

The Committee has a motion on the floor to approve the variance for a term of 15 years with conditions that the applicant remediate flooding in the southwest corner of the parking lot, that the area in the front of the building is to remain landscaped, that closing time is 2:00 AM, that dumpsters are to be placed in the rear of the property, and the parking lot secured. The motion was seconded.

Mr. Iannece asked for discussion on the motion. Further discussion ensued regarding the possibility of the City obtaining the land. It was also discussed that the area is marsh land and is not accessible to the public. If you go to the Alley Pond Environmental Center, there are specific pathways you can walk on so that you do not degrade the natural habitat. There was also objection to anything that continues or increases the amount of run-off into what are the wetlands since it is surrounded by gasoline and garbage.

The motion was called. The roll call resulted in 32 voting in favor and 10 opposed, no abstentions. (In favor, Basom, Berrios, Braunstein, Bruno, Claro, Colasante, Doster, Ferrazoli, Fiorino, Fried, Guisetti, Haber, Haider, Halili, Iannece, James, Karahalis, Keit, Kenny, Kim, Lloyd, Macinick, Miller, Mimoni, Newman, Novick, Palzer, Pivawer, Rothman, Sekdorian, Sollano, Tong; and opposed, DiBenedetto, Euler, Garippa, Hellmann, Jethwani, McEaney, Scherer, Skala, Smith, Speranza)

RESPONSE TO THE FISCAL YEAR 2011 PRELIMINARY BUDGET

No one had signed up to speak regarding the preliminary budget. Mr. Iannece reported that at the Borough Board meeting next week the Borough President will unveil her budget. He will report back at April's meeting as to what priority items we have that made the budget. The public was told that they can call the office to make comments on the budget.

COMMUNITY BOARD 11 EXECUTIVE BOARD ELECTIONS

Bernard Haber chaired the elections and stated that this was the 40th election in the Community Board. There are only two members of the Board today that go back that far, one is Rose Bruno, the other is himself.

Jerry Iannece was nominated for office of Chairperson by Gary Sekdorian, and Frank Skala seconded. There were no further nominations. He was duly elected Chairperson unanimously.

Nomination for the office First Vice Chairperson – Christine Haider was nominated by Frank Skala it was seconded by Mamie Smith. Ms. Haider was elected unanimously.

Nomination for the office of Second Vice Chairperson – Dennis Novick was nominated by Zion Halili, it was seconded by Steve Newman. Mr. Novick was elected unanimously.

Nomination for the office of Third Vice Chairperson -Laura James was nominated by Gordon Keit, it was seconded by Mario Ferrazoli. Ms. James was elected unanimously.

The meeting was adjourned at 9:40 PM. The next CB11 Boar Meeting will be Monday, April 5, 2010.