

COMMUNITY BOARD 11 QUEENS

MINUTES OF COMMUNITY BOARD 11 REGULAR MEETING

DATE: September 14, 2009

PLACE: M.S .158 (Marie Curie)
46-35 OCEANIA STREET
BAYSIDE, NY 11361

ATTENDANCE:

Jerry Iannece, Chair	Present	George Karahalidis	Present
Edith Basom	Present	Gordon Keit	Present
Daniel Berrios	Absent	Eileen Kenny	Absent
Lana Bind	Absent	Incha Kim	Present
Rose Bruno	Present	Franklyn Lloyd	Present
Edward Braunstein	Present	Susan Macinick	Absent
Robert Caloras	Absent	Janet McEaney	Present
Ocelia Claro	Present	Melvyn Meer	Present
James Colasante	Present	Eileen Miller	Present
		David Millet	Present
Paul DiBenedetto	Present	Victor Mimoni	Absent
Edward Doster	Present	Steven Newman	Present
Henry Euler	Present	Dennis Novick	Present
Mario Ferazzoli	Absent	Allan Palzer	Present
JoAnn Ferrari	Present	Stephen Pivawer	Present
Lee Fiorino	Present	John Rosse	Absent
Jack Fried	Present	Andrew Rothman	Present
Joan Garippa	Present	Christina Scherer	Present
Roy Giusetti	Present	Gary Sekdorian	Absent
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	Present

ALSO PRESENT:

Susan Seinfeld	District Manager, Community Board 11
Jordan Goldes	Representing Congressman Gary Ackerman
Claudia Filomena	Community Assistance Office of the Mayor
Josh Jorgensen	Representing Councilman Tony Avella
Bryan Rivera	Representing Assemblyman Mark Weprin
D.I. Scott Hanover	111 th Precinct
P.O. William Conway	111 th Precinct

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

Mr. Iannece read a congratulatory letter from Borough President Helen Marshall to Board Member, Rose Bruno, on her 95th birthday and civic involvement over the years. A proclamation from Councilmember Avella was also presented to Rose Bruno. Mrs. Bruno thanked everyone.

PUBLIC PARTICIPATION

1. **Anthony Naletelic** spoke about the church being constructed at 26-18 210 Street. He requested a copy of the Fire Commissioner’s report regarding the Con Edison substation fire in Douglaston. He explained that one of the neighbor’s zoning objections to this construction is that places of assembly are not supposed to be built within 250 feet o anything with explosive content. He also said that within the last four weeks, the property owners in his area have found out that they have restrictive covenants and declarations on their deeds. This means that only single-family homes can be constructed in this area. They will be submitting an amendment lawsuit within the next week or two.

PRESENTATION

1. **Assemblyman Mark Weprin** – Jerry Iannece announced that Mr. Weprin was running late. Frank Skala and Steve Newman objected to Assemblyman Weprin addressing the Board on the night before the primary as a political maneuver and inappropriate.

2. **Elsy Guibert, Project Specialist, U.S. Census Bureau**, spoke about the importance of everyone being counted in the 2010 Census. The census counts affect the funds allocated for public services (\$435 billion based on census counts), political representation, and district boundary lines. The census will be conducted through a questionnaire that will be mailed out at the beginning of next year. It must be completed by April 1, 2010 otherwise a census taker will be sent to your house. This is the first time the Census Bureau will only be sending out the short questionnaire. This information is confidential. The records cannot be opened for 72 years.

ACCEPTANCE OF MINUTES

The minutes of June 15, 2009 were accepted.

CORRESPONDENCE

Jerry Iannece stated that the Bayside Hills Civic Association held their annual ceremony commemorating the events of September 11, 2001.

The Little Neck-Douglaston branch of the Queens Borough Public Library was reopened on Friday, September 11, 2001 after being refurbished. Mr. Iannece reiterated the need for this branch to be expanded.

Joan Corn resigned from Community Board 11 as she has relocated and is living in the Community Board 7 area.

R & S Straus has been problematic over the last few months. They park their vehicles on the sidewalk. CB11 has written letters and contacted the agencies that are responsible to cite this activity.

The LIRR Little Neck Quiet Zone will be installed shortly.

CB11 wrote to DCP regarding the process of notifying the community boards and local civic association of their public hearings.

APEC will be celebrating Estuary Day on Saturday, September 26, 2009. Mr. Iannece asked for volunteers to represent Community Board 11.

CB11 is planning another flu vaccine clinic at St. Mary's Hospital for Children. We are waiting to be advised of the dates.

CB11 will hold the public hearing for the 2011 budget priorities. Forms are available to submit items for consideration.

Alley Creek Project is entering its final stages. The Oakland Lake renovations have been given the notice to proceed and should start very soon. Additional planting will be done in the spring.

Cease and Desist Rules expired in Queens County. The Dept. of State has agreed to accept additional public comments from residents who have experienced intense and repeated solicitations by real estate brokers and agents in recent months. A statement must be mailed to the Dept. of State by October 21, 2009. Call CB11 for more information.

Mr. Iannece recapped the issues surrounding the construction of the house of worship at 26-18 210 Street. Houses of worship are built as-of-right. Mr. Iannece followed up on the issue of the restrictive covenants. He explained these covenants are private and state that only one-family

homes can occupy a specific lot. Unfortunately, this has to be privately enforced. Perhaps, in the future, this is an issue that can be enforced by DOB.

COMMUNITY BOARD MEMBER DISCUSSION

Joseph Hellmann inquired about the Open Meeting Law. Jerry Iannece explained that all committee meetings and public hearings are required, by law, to be open to the public. That does not mean the public participates at every meeting, but they must be allowed to be present.

Members discussed about proposed legislation requiring community board members to submit detailed financial disclosure. Mr. Iannece stated that to his knowledge, only elected official and would-be elected officials are required to submit this type of disclosure.

Henry Euler updated everyone on the Auburndale rezoning meeting held at Tony Avella's office with DCP to resolve some concern and issues.

Assemblyman Mark Weprin arrived and was introduced to the audience. He greeted the members of the Board.

PUBLIC HEARING

Cal. No. 297-99BZ - 45-05 Bell Blvd., Exxon/Mobil Station – John Ronan from Walter Gorman's office represented the applicant in their BSA application to extend the term of the special permit. The current term expires in 2010. They have applied for a 10-year extension to 2020. The special permit was granted in 2000. The previous applicant was not able to get a C of O. The adjoining property owner on 45 Road has encroached onto the property. They have retained counsel in this matter and expect to have it resolved in the next four to six months. They would like to have the ten-year term extension in place by then so that they can get a new C of O for the 2020 expiration date. No additional work will be done. The BSA hearing is Tuesday, September 15, 2009. Mandingo Tshaka spoke in opposition to the application. He stated that this application should never have originally been approved because it does not meet the requirements of Z.R. 72-21. He also cited the noise from repairs in a residential area and stated a gas station should never be allowed adjacent to a residential area. Mr. Ronan pointed out that this site received a special permit and not a variance and, therefore, does not have to meet the requirements of Z.R. 72-21. However, Mr. Ronan stated he will address the noise issue with the applicant. Christine Haider read the zoning committee report (the committee met on August 27th) into the record. The Committee recommended approval of this application with the following conditions: no "for sale" vehicles or storage vehicles are to be parked on the site, only cars awaiting service are to be allowed, and no overnight storage of vehicles or rental of spaces is to be permitted at any time. Henry Euler asked why the applicant is filing for the extension a year before it expires. Mr. Ronan explained that due to the adverse possession case, the DOB hasn't signed off on the construction inspection and they can't get the C of O. They filed early in anticipation of a favorable

decision on the adverse possession issue and can then get the C of O and the special permit. Frank Skala is opposed due to the dangers a possible future convenience store would have on the children in the area and that attend the nearby schools. An inquiry was made as to how long a gas station has occupied this site. Mr. Ronan believes it goes back to the 1930s. Motion #09-13 was made to recommend the approval of this application with the condition that 1) No “for sale” vehicles or storage vehicles are to be parked on the site and 2) No overnight storage of vehicles or rental of spaces will be allowed at time any time. The motion was seconded. A roll call vote was taken resulting in 33 in favor, 6 opposed, and 1 abstention. The motion carried.

One-Way Conversion 203 Street between 26 Avenue and 28 Avenue – Bernard Haber announced that this item is being postponed as the Transportation Committee feels that this issue needs further study by the Department of Transportation. A letter has been sent to DOT requesting this.

28 Avenue between 203 Street and 206 Street Renaming – A proposal was received to rename 28 Avenue between 203 Street and 206 Street in honor of Ron Carey. A short presentation was given by Mr. Carey’s children, Dan Carey and Pam Carey. Tim Silvestri spoke on behalf of the Teamster’s Union and their complete support of this proposal. He urged the Board to support it as well. Bernard Haber stated that the Transportation Committee had met and voted in favor of recommending this proposal. Motion #09-14 was made and seconded. Frank Skala questioned the renaming of streets for individuals who may not be well-known by most residents. Susan Seinfeld stated the response to the CB11 survey was unanimously in favor other than two residents who had not answered. A roll call vote was taken resulting in 30 in favor, 4 opposed, and 6 absentions. The motion carried.

215 Street between Northern Blvd. and 45 Road – A proposal from the 111 Precinct Community Council to rename 215 Street between Northern Blvd. and 45 Road in honor of Sol Soskin. Bernard Haber stated that the Transportation Committee unanimously recommends approval of this proposal. Motion #09-15 was made and seconded. Frank Skala reiterated his position regarding street renamings. He believed it to be nepotism on the part of the Board to rename a street after a Board member. A roll call vote was taken resulting in 38 in favor and 1 opposed. The motion carried.

Mohan Jethwani raised the issue of the Board streamlining the criteria for renamings. Jerry Iannece informed everyone that a recent proposal was turned down from a Douglaston resident who requested a street in Douglaston be named for his brother who died in Vietnam. This individual had no community ties and the Transportation Committee felt it inappropriate to recommend this proposal. The requests are reviewed on a case by case basis.

The meeting adjourned at 9:15 P.M.