



Community Board 7

Borough of Queens

Bay Terrace, College Point, Beechhurst, Flushing,
Malba, Queensborough Hill, Whitestone and Willets Point

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Melinda Katz
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Leroy Comrie
Deputy Borough President

Eugene T. Kelty Jr.
Chairperson

Marilyn Bitterman
District Manager

COMMUNITY BOARD #7 PUBLIC HEARING & REGULAR MEETING
MONDAY, SEPTEMBER 8, 2014
UNION PLAZA CARE CENTER
33-23 UNION STREET
FLUSHING, NEW YORK

PRESENT-

Chuck Apelian
John Byas
Tyler Cassell
James Cervino
Chin Hsiang Chiang
Timothy Chuang
Kim Cody
Nicholas Corrado
Joseph Femenia
Arlene Fleishman
Fred Fu
Pablo Hernandez
Donald Kirchhofer

PhilKonigsberg
Peter Kwiath
Esther Lee
Frank Macchio
Rev. R. McEachern
Barbara McHugh
Selma Moses
Devon O'Connor
Kim Ohanian
Millicent O'Meally
Van Partridge
Kris Ram

Andrew Rocco
Warren Schreiber
Kevin Shields
Matthew Silverstein
Peter Sutich
Joseph Sweeney
Carlos Talisaysay
John Tsavalos
Peter Tu
Arnold Wagner
Clarissa Wong
Linna Yu

ABSENT-

Rose Forkan
Jeff Huang

Eugene Kelty
Terence Park
Jean Ren

Marc Schiffman
Joshua Sussman
Jie Zhu

COMMUNITY BOARD #7 STAFF-

Marilyn Bitterman, District Manager
Marilyn McAndrews, Community Assistant
Mary Zuliani, Community Assistant

GUESTS-

Peter Koo, Councilman

GUESTS- (continued)

Don Capalbi, Congresswoman Meng's office
Rebecca Sheehan, Senator Avella's office
Courtney Cariello, Assemblywoman Rozic's office
Meagan Chen, Assemblyman Braunstein's office
Allen Hsu, Councilman Koo's office
Stacey Flink, Councilman Lancman's office
Ardian Tagani, Councilman Vallone's office
Helen Ho, Mayor's office
Elaine Fan, Comptroller's office
Susie Tanenbaum, Queens Borough President's office

Meeting was called to order at 7:10 p.m. by Third Vice-Chair Warren Schreiber in the absence of Chair Kelty who had an emergency. First Vice-Chair Apelian and Second Vice-Chair Macchio would arrive later because of earlier engagements. The Pledge of Allegiance was followed by a moment of silence honoring the men and women in the military serving our country overseas and on the home front.

After roll call attendance was taken with (37) members present (7) excused and (0) absent, Third Vice-Chair Schreiber read the announcements, which will be available to anyone after the meeting or the next day at the office. The June 9, 2014 minutes were approved unanimously with no corrections and seconded by Linna Yu.

Councilman Peter Koo was invited to speak and wished us all a Happy Moon Festival, which is considered their biggest holiday and celebrates the importance of family unity. He reminded us of the start of a two week campaign by the Police Department. The first week is to educate motorists and pedestrians to pay attention to traffic lights, and the second week will be ticket enforcement for jay walking and motorists not yielding to pedestrians as well as going through a red light. He thanked everyone at Community Board #7 for their constant hard work and dialogue with both sides on every issue, which is democracy at work. Don't forget to VOTE! **Board member, Kim Ohanian**, asked **Councilman Koo** to do something about the illegal notices in English and other languages being placed on light poles and trees in our community. It makes the neighborhoods look run down and has to stop. Councilman Koo said the answer is in educating the community.

Speaker, **Elaine Fan**, from Comptroller Scott Springer's office announced the Hispanic Heritage event will take place on September 23, 2014 at 31 Chamber Street, NYC from 6 pm to 8 p.m. To make a reservation call 212/669-4466.

AGENDA #5 – NYC Chapter of the Alzheimer Association – Kristin Sainato asked everyone to register and participate or donate in the "Walk to End Alzheimer's" scheduled on Sunday, September 28, 2014 at Flushing Meadows Corona Park at 9:30 a.m. The walk is important since

there are more than 5 million Americans living with this slow progressive disease and over 15 million caregivers. One in nine baby boomers will develop Alzheimer's, which is currently the nation's 6th leading cause of death, more than breast and prostate cancer combined. What's more it's the only disease with no cure or prevention in sight. Thus far in 2014 over \$214 billion dollars will be spent on health care costs. By 2050 it is estimated the cost will rise to 12 trillion dollars. In NYC Chapter currently serves about 500,000 people from all 5 boroughs with numerous programs and services, over 120 support groups, a 24-hour help line in 180 languages, education and training for caregivers and professionals, consultations, etc., all FREE of charge. She urges us to unite in the movement to reclaim the future for millions.

AGENDA #6 - Department of Consumer Affairs – Speaker Dan Ping He, spoke about the NYC Financial Empowerment Centers run by the DCA who offer FREE counseling to small businesses, educating them on controlling their debt, improving their credit, and assisting them in creating a budget, and the banking products that are available to them. Also, familiarizing them on the new paid sick leave law that went into effect April 1, 2014. The centers are staffed with over 200 trainees and informational material in all local languages. You can call 311 to make an appointment at the local Financial Center nearest you.

PUBLIC HEARING

AGENDA #7 – 167-04 Northern Boulevard – Calendar #172-79-BZ - Committee Chair Kevin Shields opened the discussion on the two committee meetings held on August 18th and August 25th regarding the extension of the applicant's variance, the gain of one more parking space, and the deletion of the 1990 amended resolution stating a change in ownership will require approval by the board and ultimately the BSA. The vote taken at the second meeting approved the extension of the variance for ten (10) years and one more parking space, but the amended resolution would remain. It appeared the owner accepted this decision at that time. However, at tonight's meeting, the owner and his representative asked to have the resolution deleted. Arguments ensued with a total of 17 speakers from the community and civic associations strongly in favor of keeping the resolution in order to "protect their properties and community" presently within a R2/R2A zone under the Rickert-Finlay covenant. **First Vice-Chair Apelian**, who researched the record, found Community Board #7 was never involved in the BSA 1990 variance stipulation, if the land were resold. The variance is specific to allow only Use Group 6, which is strictly for Office use, and not for any type of commercial or retail use. If the property is sold, the variance would stay with the property. There were back and forth questions by board members to understand the meaning and impact of the resolution on the owner and the community. **Rebecca Sheehan**, Counsel for Senator Avella, read his testimonial letter to the Board stating his support for a ten year variance with the restrictive clause to prevent possible future re-zoning based on an unlimited variance, as well as to ensure the community will have a forum to address any complaints about a non-compliant business operating in violation. **Amber Yoon** from Assemblyman Braunstein's office spoke on his behalf supporting the restrictions to preserve the integrity of the variance to be passed on to a new

owner, stating any costs involved is the price and privilege of doing business in the neighborhood. The reissuance of this variance for a limited term with the change of ownership clause allows the community to vet any new owner before permitting them to operate. The protection of the neighborhood and residential community is paramount. Committee Chair **Kevin Shields** read the letter from **Henry Euler**, First Vice President of Auburndale Improvement Association, who was attending Community Board #11's meeting. His letter urged Community Board 7 to vote in support of the civic position that the variance be renewed for ten years with no change in the provisions of the variance since it best serves the interests of the surrounding community and doesn't harm the business or its owner. Thereafter, the board listened to **Terri Pouymari, AIA; Joseph Amorosa and Beverly McDermott, KPCA; Janet McCreesh, BFHA; Larry Bernet, Donna Bakitzis, Patricia Alfaro Cooke, Rhea O'Gorman, Maryellen Donovan, and Arlene Moss, Richard Lam, Chrissy Voskerichian, all from SRCA; James Trikas, HCA; Paul Graziano, Urban Planner; and Margaret Brower, CA.** Basically, the speakers all felt a variance in perpetuity could lead to owners coming and going without any oversight, and could very well result in overturning current zoning regulations and change the landscape of the community. They all supported a variance with term limits and the retention of the amended resolution. Unfortunately, however, some did so by magnifying the possible intent of the present owner. **Committee Chair Shields** then read his August 25th committee report and the final vote taken was unanimous to approve the variance as is. The owner of Utopia Realty, **Paul Luciano**, was given the opportunity to speak. He grew up in the neighborhood, went to Public and Jr. High, Bayside High and then graduated Queens College with honors. He and his family have operated a reputable, professional real estate office at this location for generations, never once solicited door to door, and always respected and supported the community. He was surprised at the words used to portray him as an outsider, with words even more excessive, and having no ties to the community because he now lives in Sag Harbor. He was disappointed with the community's view, but the board will give their decision.

The motion on the floor tonight is to approve the extension of the variance for a ten year period with one additional parking space, and the amended resolution of 1990 to remain with the variance as is, seconded by Linna Yu.

Discussion by the Board followed with **Peter Sutich** stating that if the land is sold, the new owner must comply with the variance anyway since it's tied to the land. **Nick Corrado** favors protecting the community at all times, but also to protecting the small business owners who are good neighbors and in need of variances. **Arlene Fleishman** questioned why should they want the clause removed now after operating successfully for years. Both members will vote to keep the variance for their own reasons. **Chuck Apelian** said we as a community have always supported small business, as did the State Senator at a press conference last week. Why are we placing an extra burden on the business in order to sell it?. The question that should be asked is where is the protection to the community. The protection from day one is already in the variance, a Use Group 6, Office; no restaurant, no taco bell, and no skyscraper. It's just

a small building right on Northern Blvd., a space of 2500 sq. ft. of which only half (1200 sq.ft.) is built. If they add a bathroom or they extend the roof, a new variance is needed. If they want to change the Use, a new variance is needed. If the zoning is changed, what are you going to gain? The answer is it will cost someone \$20,000 - \$30,000. As long as they stay within this property, there is no protection from day one when a new owner comes in. **Joseph Sweeney** countered what if the new owner builds an office building on the total 2500 square feet adding 15 more people in the building? **Chuck Apelian** responded he still will need to change the variance. **Mr. Sweeney**, however, will vote to approve, but with a strong message to BSA to not change the variance.

The motion was read again for the board!

The vote taken was (33) FOR (4) AGAINST (0) ABSTAINED

AGENDA #8 – Input on the Preliminary Budget – Kim Ohanian - No one is listed to speak on the budget tonight. The Budget Committee will have a meeting on September 29, 2014 and vote on it at the October 20, 2014 Public Hearing. **District Manager Marilyn Bitterman** explained the next Public Hearing, which would normally be held on the second or fourth Monday of the month, will be held on October 20th since more time is needed to prepare the Budget to be sent to OMB before the end of the month.

REGULAR MEETING

AGENDA #9 -The Environmental Update by **James Cervino** was tabled to October 20, 2014.

AGENDA #9A – Alienation & Privatization of Parkland – Kim Ohanian - Everyone was sent a copy of the Alienation & Privatization of Parkland resolution. The original document was written by Community #6 in Manhattan. Parks Committee (Warren Schreiber, Matt Silverstein, Phil Konigsberg, Pablo Hernandez, John Tsavalos and Kim Ohanian) amended it to fit in line with our Community Board. In reviewing the documents, several corrections were noted and will be changed. With final approval by the Board, it will be mailed to Mitchell Silver, Commissioner of Dept. of Parks & Recreation.

The motion is to approve the document with the corrections noted.

The vote taken was unanimous. (25) FOR (0) AGAINST (12) LEFT BEFORE VOTE

PUBLIC PARTICIPATION

Speaker Phil Konigsberg announced that on Sunday, September 14, 2014 at 1 p.m. at Crocheron Park there will be a large rally on Airplane Noise and other issues. The noise may not

have affected everyone yet, but will in the near future since more planes are to be added to the present flight schedules. Please come! Also, can something be done about the Board's sound system? **Marilyn Bitterman** answered it's a newly purchased system which has proven to be no better than the first. We will call an expert and hope to correct the problem.

Speaker Irene Prestigiacomio of Willets Point, overcome with gratitude, profusely thanked and praised community Board 7, Eugene Kelty and Marilyn Bitterman for having placed Willets Point's roadbed and sewer work a priority in the 2015 Budget.

The meeting ended at 10:00 a.m.

Respectfully submitted,

Mary Zuliani