

**Community Board 1**  
**March 19, 2013**

Mr. Vinicio Donato, Chairperson of Community Board 1, commenced at 7:00 p.m.

Mr. Donato asked everyone to stand for a moment of silence for the passing of Board member Demetrios J. Demetrios.

Mr. Donato went on to the first public hearing item from the Board of Standards and Appeals (BSA), Mr. Jerry Caliendo, Co-Chair of the Zoning and Variance Committee, read public hearing item (BSA) #72-13-BZ – Premises 38-15 Northern Blvd. (Euphora). An application to legalize the operation of a physical culture establishment (PCE) within the existing building. Ms. Elizabeth Bennett, Attorney from Sheldon Lobell law firm, came up on behalf of the applicant. This application is for a special permit from the BSA to allow a spa and fitness center at the premises. The facility occupies a portion of the 1<sup>st</sup> floor and mezzanine level of the building and on lot 5 and lot 7 is used for accessory parking and the supermarket adjacent to it. There is also Two Guys Auto Plex which is in part of the building on lot 5. The PCE offers massages, skin care, yoga, and zumba exercise classes. The site originally had a special permit for a PCE in 1996 for 10 year term it expired in 2006. The previous operator failed to renew the permit and the current operator, who took over in 2009, was unaware of the special permit for the spa use. Now that they are aware of it they are trying to get the special permit from the BSA. Mr. Jerry Caliendo asked how the current owner became aware of the need for the renewal of the variance. Ms. Bennett replied that the current operator, Euphora, did not know that a special permit was needed until they received a violation. Mr. Caliendo is there are any other permits that require updating. Ms. Bennett stated no, they are in compliance with all the requirements and are working with the owners of the building. Mr. Caliendo asked if the new operator was present and if there were any changes. Ms. Bennett stated that the new operator is not present but are working with the owner of the building. They are making changes to the 2<sup>nd</sup> floor interior. Mr. Caliendo asked if the spa is handicapped accessible. Ms. Bennett stated she was not sure and would have to reach out to the architect who is not present and will get back to the Board. Mr. Daniel Alierti asked what the difference is between operator and owner. Ms. Bennett stated that Euphora is the operator and the owner is the owner of the building and he is the applicant for the approval of the special permit and would be responsible. Mr. Aliberti stated that the handicapped accessibility would be the front door, staircase, and elevators, etc. would be reliant on the building and the owner. Ms. Bennett replied “Yes”. Mr. George Alexiou stated that the representative is not prepared. Mr. Mullarkey asked if the establishment had an elevator. Ms. Bennett replied “No”. Ms. Linda Perno asked if the item could be tabled until the Board receives more information. Mr. Donato stated that due to the timely manner it could not be tabled. Ms. Bennett stated that she would reach out tomorrow with the information requested that she is unable to answer. Mr. Donato asked if there was anyone who she could call tonight to obtain the answers. Ms. Bennett stated she could try but may not reach them. Mr. Donato it’s hard to make a decision with insufficient information. Mr. Caliendo added to the handicapped accessible, quite often the Buildings Department will give accessibility to a mezzanine if the same services are provided on the ground floor level. He asked if she was aware of the conditions before the BSA from the original variance. Ms. Bennett stated yes, they have no bearing on the current application and is no longer valid. Hours of operation are 9am to 8pm Tuesday to Saturday, Sunday and Monday closed and they provide 5 parking spaces. She added that the building is in between a manufacturing and commercial zone and fits very well with the neighborhood. Mr. Donato asked if there was anyone in the audience who wanted to speak for or against this application. There was no one. Item closed.

Mr. Joseph Risi, Chair of the Consumer Affairs Committee, read the next item from the Department of Consumer Affairs (DCA) #1224578 – Premises 24-25 Steinway Street (Sabry’s). An application to renew the license to operate an Unenclosed Sidewalk Café with 11 tables and 25 seats. No one came on behalf of the application. Mr. Donato asked if there was anyone on the Board who had any comments for this applicant. Mr. Antonio Meloni stated that this applicant is across the street from him and they haven’t had any complaints. The Café has been there for 12 years. Mr. Richard Khuzami stated that they are highly respected and agrees with Mr. Meloni. Mr. Donato asked if there was anyone in the audience who wanted to speak for or against this application. There was no one. Item closed.

Mr. Donato introduced Ms. Donna Finn, Principal of Frank Sinatra School of the Arts High School. Ms. Finn stated that this was their 4<sup>th</sup> school year in Astoria and they could not be in a more welcoming community which is wonderful from their huge transition from the LIC industrial area. She went on to say that being a part of the community that they would like to give back to the community as well and one of the ways that they can is to invite the Board to attend performances. There is a flyer with their performances this Spring and she can attest that they will be top notch. She asked if the Board members would spread the word of their upcoming performances. The school works with a variety of community organizations. Their students participate with the Astoria Symphony Orchestra and recently provided space for the Astoria Opera Company. They currently have provided space for a number of dance schools in Astoria for their recitals. They are also open to the community who may need space for an event or function that the Tony Bennett Concert Hall can accommodate. The school has a 60 hour community service requirement for their students for graduation. The school currently has 765 students who auditioned to come to the school. The school offers 6 majors Drama, Dance, Instrumental Music, Vocal Music, Fine Art and Film which is their newest program. The film program is due to the Tony Bennett Fund. Each of the studios there is a performance component and an academic component. Students graduation rate last was 96%, 30% of them go on to fine performance colleges and 3% go on to conservatories. Ms. Ann Bruno asked whom they should call about the community service. Ms. Finn stated that they should call Ms. Joanne McGlaris at 718-361-9920. Mr. Donato stated that it is a premiere school and many of you know that he was involved in teaching. This is a class act and shows what can be done if you put some thought and effort into it. He then presented Ms. Finn with a token of appreciation for outstanding leadership from the Community Board 1. Ms. Finn thanked the Board for the award and reiterated if the Board members want a tour of the school to give her a call and she would be happy to arrange one.

**VOTING SESSION:**

Mr. Caliendo reiterated public hearing item from the BSA #72-13-BZ – Premises 38-15 Northern Blvd. (Euphora). An application to legalize the operation of a physical culture establishment within the existing building. Mr. Caliendo stated that the committee met and recommends approval of the application. The discussion with the committee stated that our role in our recommendation to the Board is strictly for the use. As to the issue of the handicapped accessibility of the building it will be reviewed by the Buildings Department before their issuance of a C of O. Mr. Donato stated that assuming that it is handicapped accessible be added. Mr. Aliberti added that the accessibility applies to the physical building and to the programs being offered. Mr. Donato stated that all components will be added to the resolution. Mr. Donato stated that the committee approves the recommendation with the stipulation that it is handicapped accessible and all the programs are handicapped accessible, seconded by Mr. Babor. Mr. Risi asked that the Board reconsider the recommendations only for the reason that approximately 7 years have gone by and he think it’s unbelievable that someone doesn’t know that they don’t have proper

authority to operate a spa. They haven't gone into detail of what type of spa services they offer. There are no representatives such as the architect, owner, or applicant present this evening. He recommends that the application be disapproved, seconded by Mr. Pallos. Mr. Donato called for a vote on the recommendation that was discussed otherwise it would be a no. Mr. Donato called for a vote. Motion called and denied with 3 in Favor.

Mr. Joseph Risi reiterated the next item from DCA #1224578 – Premises 24-25 Steinway Street (Sabry's). An application to renew the license to operate an Unenclosed Sidewalk Café with 11 tables and 25 seats. Mr. Risi stated that the committee met and recommends disapproval of the application, due to no one appearing on behalf of the application, seconded by Mr. Pallos. There was no further discussion. Mr. Donato called for a vote. Motion called and carried with 2 Against.

### **GENERAL DISCUSSION:**

Ms. Claudia Leito-McKenna, Co-President of the PTA at PS122Q, came up to speak and noted there were a group of parents, teachers, and students present as well.. They (PS122) recently received notification of a proposal from the Department of Education (DOE) to restructure their successful model of a school. It is currently a K to 5 school which houses a 6-8 grades gifted program DOE would like it to be a K to 8 grade school including gifted and talented classes. They were never approached about this they were just told about it. There has been an incredible community outreach and they recently held a meeting at their school which was attended by 150 parent and residents in the area who are opposed to this proposal. They have tried several times to get the DOE to meet with them. A rally was held recently at the DOE where they delivered over 350 letters opposing the proposal along with 2,000 signatures and they have not received a response. They have come before the Board for their support with this issue. The proposal would be devastating by causing overcrowding and a collapse of PS141Q sine the students graduating 5<sup>th</sup> grade at PS122 feed into this school. They have heard that they may be considering IS141 as a charter schools.

Miss Anel Oza, a student at PS122Q, stated that she came on behalf of the Gift and Talented Program. She could not sit idly by while a great school programs are being taken away. It would deprive District 30 of art, music and other good programs. She wants to make sure that great experience she has had in the school will be available for others in the future. For the teachers it's not just a job but a passion to teach kids and to help them reach their full potential. With that motivation from the teachers, students want to learn and they want to go to school. This is a school that the City should model their schools after instead of destroying it. She asked that CB1 support them in their fight to keep PS122Q open and their programs alive. Mr. Donato thanked her for coming.

Mr. Daniel Laforja, building owner on Steinway Street, stated that on January a tow truck service moved in next door. The company does bodywork and painting. There are fumes and noise coming from next door from 8:30am to 6-7pm. The tow trucks and a flatbed are parked outside for long periods of time. He is not sure how or why this was allowed in this area. He is not sure what can be done. He has spoken to people in the area and they are also upset that this is occurring. He spoke with the owner and he seems to kind of regret what he has done but they have a 1 year lease. Ms. Lucille Hartmann, District Manager of CB1, stated that he has been speaking with Florence and herself and the paint has been reported to DEP and there will be an inspection. They will have to meet certain standards to do the painting. The Board has not received a report back from DEP, it does take time. As far as the vehicles parked outside, the police have been spoken to as well as DOT Traffic Enforcement. When the Board receives a response from DEP we will reach out to you.

Ms. Anastasia Cunningham, Parent of PS122Q, stated that she has 2 children at PS122Q, a daughter in Pre-K and her son in 2<sup>nd</sup> grade. As you have heard previously, they are present to speak against the proposal from the DOE. This would dismantle one of the top middle school programs in the City. It will have devastating effects on the general education population of our school as well. She is a parent that the DOE is appealing to since she has a child entering Kindergarten in the fall of 2013. She was happy about the proposal at first but realized after further information came to light that what they are proposing to do to the school, she believes will destroy PS122. There is nothing in writing and no Educational Impact Study for the community to review this proposal or how this proposal change would be carried out. As a result of this, she will no longer sit on the sidelines and wait for someone else to decide what kind of education her children deserve. What will her daughter have to give up if she attend a K-8 school; a library, a computer lab or 2, an art room, or science lab. Will she have to sit in a class with 30- 35 students? Will she have to eat lunch at 9:30am? They have a long list of negative affects to their community and the surrounding schools. Students in the gifted program at PS150Q, PS166Q, and PS85Q who are expected to attend PS122Q Academy will be shut out and left to scramble at PS126Q with a brand new program that does not carry anywhere the excellence and procedure that PS122Q does. The DOE has not given any information and have left us to grasp at straws and come up with our own conclusion. She knows that she speaks for hundreds of parent when she says thanks but no thanks. Her children and all children deserve better. So she is here as a member of the community for 25 years, as a community leader, an activist and as a parent asking the Board to do whatever they can to help them fight against this misguided proposal from the DOE. Please contact them or write to them and tell them that you would not support the destruction of PS122. Thank you.

Mr. Alexander Cunningham, 7<sup>th</sup> Grade Student at PS122Q, stated that he love his school because it has fun activities to do and doesn't want anyone to take our activities away. His sister Sophia is in Pre-K and when she grows up she won't be able to have the fun that he has. Some people have to have lunch at 9:30am so what would they have to do 5 hours after. The school would be too crowded and the activities that they would take away would be the library, the gym, the computer lab, the science lab, and the music club. He thinks that this is wrong because the people in the future will not have basic things you should have in school. He thinks that the DOE should leave our school alone.

Ms. Colleen Fury and Bernard Kulvikis, residents of 38<sup>th</sup> Street and 36<sup>th</sup> Avenue, stated that they have a problem with vehicles on their block. They are parking on the sidewalk and block walkway for pedestrians. These are vehicles from the businesses and from their customers. The most egregious violator is Yummies To Go who has two cages outside one with gas canisters for the food cart and the other for dumpster. They have tried calling 311 several times to no avail, the problem persists. They have even tried to speaking to the people about parking on the sidewalk. Sometimes they apologize and sometimes they ignore them. They have tried speaking to the manager with no help. They provided photos of the problem and they do not know what they should do next. Mr. Donato informed them that they should have come to the Board office instead of waiting for a meeting. The Board would try to rectify the problem by getting in touch with the proper agency and police to go there and do something. The Board will accept all their paperwork and was given the number to the Board office.

Larissa Marchesi stated that she is a teacher at PS122Q in a ICT classroom which is 60% general education and 40% special education. What we haven't heard is how this will affect the special education students. The current special education students are receiving various forms of therapy such as speech and language, hearing, physical, and occupational therapy. As a result of this change their areas in which they receive their therapies will be taken away. They were informed that they would have to provided therapy services in the hallway. If you have a child who need special services or who has ADHD or other disabilities they need an environment, and deserve an environment that is quiet, peaceful and accommodating to their needs. She hopes that this additional information would be helpful in gaining more support for them in their fight against the DOE proposal.

Ms. Catina Castaritas, parent of student at PS122Q, stated she has children that fall on many ends of the spectrum. She is aware that this is a district wide issue, not just a PS122Q issue. It's a district where we have two successfully A schools and we have the DOE coming in and focusing their efforts in a recession environment on two A schools rather than schools that are B and C. It's important. They said that PS122Q is operating as a K-8 Gifted and Talented school. This school has been operating in this fashion for decades. There are mothers who have graduated from this school. It is hard to hear them come now and say that they have not been functioning well is illogical. There are logical answers and solutions to these problems. Clearly in this political environment that is not apparent. She was asked what could be brought to the Board so that the Board could help them. These changes are being forced upon them and they do not understand why they are being targeted. She does not believe that this will be the only target. She believes that in this community that if they do not stand up and express that education is important they will be faced with this over and over and it will affect everyone. They can ask the Board to write letters and make phone calls and campaigns for them as well ask for guidance from you. Mr. Donato stated that the school was a K-8 school 65 years ago. Everyone has to understand that the DOE is dysfunctional to say the least.

Mr. Monko Itcanasi, parent of child at PS122Q, stated that he is a parent of a child in the gifted and talented program and a SRT Team member at PS122 for many years. He understands that they are looking to eliminate 9 classes by changing the school from K-5 to K-8. A report from the DOE states that they are utilizing only 11% and fail to make more classrooms. He feels that they have to protect their school from the proposed changes to retain the program that is currently being provided. He feels that they should do a study of the school on why it is not doing well.

Ms. Kimberly Lanza, sub-teacher and a parent, stated that everyone has heard all the arguments regarding the proposals from the DOE. She would like to add one more thing, she and her husband specifically purchased a home in D30 to receive quality education for their child at PS122Q. She can see that a majority of the Board members are homeowners as well. They have been very fortunate that other areas of the United States have seen homeownership decrease, the price has increase in our district in NYC. She want to stress how important it is for the community to have professionals come into the community by being attracted by the education received in the district.

Mr. Donato stated that he believe the Board has heard all the arguments and will call on the Chair of the Education Committee to make a recommendation tonight instead of waiting. Ms. Linda Perno stated that the committee would like to motion to oppose the restructuring of PS122Q, seconded by Pallos. Mr. Donato called for a vote. Motion called and carried with 1 against.

Mr. Jonathan Ou, Shen Yun, stated that the Shen Yun Chinese Ballet will be back in New York at the Lincoln Center on April 20-28, 2013. This year is a new production and all are welcomed. He provided flyers for everyone.

#### **BUSINESS SESSION:**

Mr. Donato motioned to accept the minutes of February's and March's Board meeting. Motion seconded by Mr. Babor. Motion called and carried unanimously

Mr. Donato reported that at the Borough Board meeting the Board voted to approve the Borough President's FY '14 Capitol/Expense Budget priorities.

Ms. Lucille Hartmann, District Manager, reported that in the Board's folders there are several flyers. One of them is the Shapeup NYC which is offering free stretch and tone exercise classes for individuals 50 and over on Mondays at 6:30pm at the Queens Library LIC, 37 Avenue/21<sup>st</sup> Street and fitness classes at the ARROW Filed House located on 35<sup>th</sup> Street between 35<sup>th</sup> and 36<sup>th</sup> Avenues (several days throughout the week). There will a screening of the movie a Place at the Table on Thursday April 11<sup>th</sup> at the Museum of the Moving Image. For additional information you can call 212-825-0028 ext. 202 and there are flyers on the table in the back for more information. In addition, Ms. Joan Asselin, who was unable to make this evening's meeting and has asked her to inform everyone that the Environment Committee meeting that was scheduled for this Thursday, March 14<sup>th</sup> has been rescheduled for Wednesday, April 10<sup>th</sup>, a reminder will be sent out.

Mr. Joseph Risi, Chair of Consumer Affairs Committee, reported that in the Board folders there is a list of the March 2013 liquor license applications. The Committee is requesting that the Board send a letter to the State Liquor Authority requesting that no further action be taken on 2 applications La Boom at 56-15 Northern Blvd. and Javar Corp, 32-10 37<sup>th</sup> Avenue. The committee was made aware, by the 114<sup>th</sup> Pct. that numerous arrests, complaints and summonses have been issued against these two establishments. The committee is having a meeting with the applicants on April 9<sup>th</sup> at 6pm at CB1. They feel that it is necessary to have a discussion with the applicants and either enter into a stipulation and bring a recommendation to the Board at the next meeting. Motion to postpone, seconded by Pallos. Mr. Donato called for a vote. Motion called and carried.

Ms. Linda Perno, Chair of Education Committee, reported that she hopes that the powers that be listen to the parents and students of PS122Q. As it was mentioned earlier this is only going to be the beginning. Mr. Donato stated that the Board sends out a resolution to all the elected officials and the Chancellor's office as well. Mr. Perno stated that if it's not broke don't fix it. Ms. Evie Hantzopoulos asked if it could be sent to regional candidates as well.

Mr. Richard Khuzami, Chair of Parks & Recreation/Cultural Affairs/OTB Committee, reported that in the Boards folders there is a Parks Committee recommendation in reference to two presentations by the Parks Department. This first was a Town Hall meeting and the other was a Parks Committee meeting at which they requested a resolution from the committee so they can bring it with them when the Parks Department make their presentation to Landmarks. He then read the resolution "NYC Department of Parks and Recreation's conversion of the diving pool in Astoria Parks to a performance space and to support the design schematics as presented most recently on March 11, 2013". Mr. Khuzami motioned that the resolution be supported,

seconded by Mr. Pallos. Mr. Donato called for a vote. Motion called and carried. Mr. Khuzami also reported that they had an on-site, walk-through, meeting with the Parks and DOT regarding the signage on the new bike paths in Astoria Park and we are awaiting a reply. Going Green in Queens will be holding a going green event at Flushing Meadows Park on March 23, 2013 from 10am to 3pm. BIG!Compost formerly Western Queens Compost Initiative will be hold several programs. For more information please see him after the meeting.

Mr. Antonio Meloni, Chair of Public Safety Committee, reported that he would like to congratulate the parents of PS122Q. He attended a Rally at City Hall with PS122Q and there were 650 parents and people showed up and an additional 500 people joined in. He went on to report, that this year they will be giving out free trees as in the past 3 years on April 27, 2013 from 10-12om at Astoria Park under the bridge. You can go to NYRP online and register for your free tree. In the Boards folders there are flyers for the Golden Gloves, Ann Krill, who is not present, asked him to speak about it. It's the Daily News Golden Gloves Semi-Finals – Boxing to Beat Cancer on April 4<sup>th</sup>. For more information please give SHAREing and CAREing a call.

Mr. Jose Batista, Chair of Youth Committee, reported that the Department of Youth and Community Development is finalizing their procedures for the summer youth employment and internship. He will have a full report next month.

#### **NEW/OLD BUSINESS:**

Mr. George Alexiou stated that Stella Nicolaou has developed a new Bachelor of Fine Arts for Graphic Design program that will use . He congratulated her.

Mr. Teddy Kasapis reported that on Friday, March 22<sup>nd</sup>, 6pm there is going to be a Greek Independence Day Celebration sponsored by Senator Gianaris, Assemblywoman Simotas, and Borough President Helen Marshall. The event will be held at Hellenic Cultural Center in Astoria. On April 4, 2013, Assemblywoman Simotas and the United Community Civic Association will jointly hold a Town Hall meeting at the Museum of the Moving Image from 6-9pm to address “Community Concerns”. Racks which was previously discussed will be coming for a vote before the State Liquor Authority on March 27, 2013 anyone who like to appear can via video conference if they are unable to appear in person. Mr. Kasapis also reported a new bill sponsored by Assemblywoman Simotas which has been passed where any new applications for Liquor Licenses must disclose what type of business they are doing.

There was no further business before the Board; Mr. Mullarkey motioned to adjourn, seconded by Mr. Stamatiades. Motion called and carried unanimously.