

Community Board 1, Q
September 17, 2013

Mr. Vinicio Donato, Chairperson of Community Board 1, opened the meeting, 7 PM. with the first public hearing item from the Board of Standard and Appeals (BSA), Mr. Jerry Caliendo, Acting Chair of the Zoning and Variance Committee, read item #318-06-BZ – Premises 49-05 Astoria Boulevard (Sunoco). An application to extend the term of variance to operate a gasoline service station with accessory use. Mr. Eric Palatnik came up on behalf of the applicant, he stated that the Sunoco gas station has been there since 1950 and is in an R4 zoning district which has a variance renewal every 5 years. He came before the Board in 2006 and was granted a 5 year variance which expired in 2012. There are no changes. Mr. Caliendo asked if there were any changes to the convenience store. Mr. Palatnik replied “No”. Mr. Caliendo asked if there were any conditions with the previous variance. Mr. Palatnik stated that there were conditions that were part of the previous approval that the BSA asked them to install a fence and to provide pictures of the installed fence before they would approve the application. The fencing has been installed and the application was approved. Mr. Donato asked if there was anyone on the Board who had a question for the applicant. Mr. Frances McDonald recalled when this applicant was before the Board, she remembered that this station may have been the one that they did not want any accessory use and asked that the minutes be checked to verify. Mr. Donato asked if there was anyone in the audience who wanted to speak for or against the application. Mr. Denich, neighbor, stated that the establishment does not keep the area clean and there are people urinating outside his window. There have been incidents of people having sex in the bathroom in the rear of the building which is opposite their window. The area smells and has unsanitary conditions. He is against the application. He also stated that they are renting parking spaces to large trucks. They brought photos of the issues. Ms. Cathy Denich, neighbor, stated that they had company over the past weekend and they left because they felt sick from the gas station’s bathroom door being open and people were having sex in there. The brick wall is falling down and they have found dead rats in their yard. She stated she called 311 and the police regarding the problems with the gas station. It seems that no one cares about the problems. People should be treated fairly. She is against the application. Mr. Donato asked if Mr. Palatnik could come to the microphone and if the owner was present. Mr. Palatnik stated that he represents Sun Oil Corporation and Sunoco owns this gas station. He was not aware of any of the concerns that they had, there is nothing on the computers that indicated that there was a problem. Mr. Donato asked if he was present the last time this application came before the Board. Mr. Palatnik stated that he was present the past time the application was before the Board and these were not intense issues at the time. Mr. Prentzas stated that people were having sex in the bathroom at that time and that was a big problem. Mr. Palatnik stated he will reach out to the owners (Sun Oil Company) and inform them of the situation. The people who are running the station are the franchisee and seem to be in violation of the terms of their franchise agreement. Mr. Donato asked if he could take their franchise away. Mr. Palatnik replied “No”. He could certainly indicate to Sun Oil Company the concerns that have been raised this evening and they can take action to improve these conditions. No one should have to tolerate those conditions that he heard this evening. This is why the variance must be renewed every 5 years so they can come back and hear the concerns. He will inform Sun Oil Company of these conditions so they can be corrected as soon as possible. Mr. Donato stated that the assumption that was just made is that if the Board approves the variance. Mr. Robert Piazza asked if they could get something in writing from the owner. Mr. Prober Mittr stated that there is a clause written in franchise agreements and why isn’t that being applied. Mr. Palatnik stated that he does think that the Sun Oil Company is aware of the issues. Ms. O’Hara asked if the Board could send a letter requesting that Sun Oil Company to take the franchise away. Mr. Donato replied “Yes”. Mr. Palatnik stated that he had Sun Oil Company’s contact information and asked that they also send him a copy of the letter so that he could get it to the appropriate people. Mr. Prentzas stated that this was brought up 5 years ago and now the Board is being told that they did not know about it. What guarantee does the Board have that the next person that come before the

Board, in the next 5 years, will say they did not know about it? Mr. Palatnik stated that it needs a little pro-activity from the people that are concerned and noticing the issues. If someone would reach out to him since he represents the property and let him know that there is a problem he will inform Sun Oil Company. Ms. Evie Hantzopoulos asked how people would know to contact you. Mr. Palatnik stated that they can contact the Board and his contact information is on the application. Ms. McDonald asked if he represents the franchisee. Mr. Palatnik replied "No". Ms. McDonald asked if the franchisee change from time to time. Mr. Palatnik replied "Yes". Mr. Daniel Aliberti stated that 5 years ago the problem existed and were told that the problems would be solved, it was not solved. Why should the Board approve the application? Mr. Palatnik stated that in the last 60 months this problem this problem was not brought to his attention. The Board was not informed, nor did he receive any calls from the neighbors. Mr. George Alexiou stated that 5 years ago you were present and the neighbor was present along with the problems. He believes that a strong message should be given. Mr. Jon Katsanos asked if he would be willing to share the franchise agreement with the Board. Mr. Palatnik stated that was not within his domain. Mr. Katsanos stated that Mr. Palatnik is hired on a per diem basis and if there was an issue they would contact you. Under what mechanism would they contact you? Mr. Palatnik noted through the Board. Mr. Richard Khuzami stated that wouldn't Sun Oil Company have more impetus if the Board denies the application. Mr. Palatnik replied "Yes". Mr. Caliendo stated that 99% if the Board denies this application the BSA is going to approve it anyway. He thinks what is in the Boards' best interest is not necessarily to approve it, but at least suggest changes that would rectify the problem to the adjacent homeowners. He added that the bathroom door happens to be in the back of the building, where you have to go through a little alley way in the back of the building to get to the bathroom, which is between their fence and the back of the building. No one should be able to go in the back of the building. If anyone needs to use the bathroom it should be from within the building and be given a key. If the homeowner come back in a month and the problem has not been rectified then the Board should write a letter to rescind the approval. Mr. Donato clarified that even if the Board approves the application, a month later the Board can request that the BSA rescind the application. Mr. Caliendo replied "Yes". There was no further discussion. Item closed.

Mr. Donato introduced guest speaker Mr. Jorge Montalvo, Director of the Office for New Americans. Mr. Montalvo came before the Board to introduce the recently created NY State Office, on behalf of Governor Cuomo. The new office has been created to aid new immigrants by assisting them with such matters as learning English, citizenship, and other needs that they may encounter. There will be offices located throughout the state and communities. You can reach them at 800-566-7636 from 8am to 9pm. They have people who speak over 200 languages to provide assistance for those who are in need. They will also be offering grants to the communities for hosting Community Conversation. For more information you can visit them online at <http://www.newamericans.ny.gov>.

VOTING:

Mr. Jerry Caliendo reiterated public hearing item from the BSA #318-06-BZ – Premises 49-05 Astoria Boulevard (Sunoco). An application to extend the term of variance to operate a gasoline service station with accessory use. Mr. Caliendo stated that the committee met and recommends disapproval of the application and urges the Board to write a letter to Sunoco and make several recommendations 1) to close the door at the back of the building and to only allow bathroom occupants to go through the gas station and 2) to fence off the back portion of the gas station, so no one can go behind the building without permission of the gas station. Mr. Donato designated Board members to come up with language if this is approved. There was no further discussion. Mr. Donato called for a vote. Motion called and carried unanimously.

GENERAL DISCUSSION:

None

BUSINESS SESSION:

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

Mr. Donato reported that a former Board member (John Scourakis) of 40 years and his personal friend of 70 years passed and asked for everyone to stand for a moment of silence in respect and a moment of silence in remembrance of 9/11.

Ms. Lucille Hartmann, District Manager, reported that in the Board's folders there was a flyer regarding the DOT changes on Vernon Blvd. as part of the East River North Shore Greenway. The work will be starting shortly. Also, the Kiwanis Club of Astoria is having their Annual Cocktail Party Thursday, October 3rd. This year they are honoring Joseph Pistilli, Sonya Mylonas, and George Delis. Tickets are available and you should contact Rose Anne Alafogiannis if you are interesting in attending. She further stated that earlier in the day she spoke with John Carusone. He has completed his treatment and is getting better each day. He sends his regards to all. Also, Kevin Mullarkey is also on the mend and is still in rehab but is expecting to come home soon and looking forward to seeing everyone.

Ms. Rosemarie Poveromo, Chair of Airport Access Committee, reported that there has been lots of noise from Eastern Queens residents and their elected officials about the jet aircrafts moving above their heads. They can't enjoy their backyards or TV because of the terrible noise we of course are sympathetic here in Western Queens. Since no one at the Federal level, the FAA in this case, heard our cries for decades. Our pleading for relief has fallen on deaf ears in DC. Additionally, the Port Authority upon the signing of their lease handed the City administration one hundred million dollars to mitigate the problems surrounding the communities from airport activities. Why we asked was this money diverted to economic development rather than its original intent to address heart pounding, unhealthy ear splitting noise pollution. There are 4 noise monitors working continuously in area spot surrounding LaGuardia, there are no air quality monitors. Mr. Donato asked that they send a letter on behalf of Ms. Poveromo and the Board to ask why they do not have quality monitors. It was reported that Congressman Crowley has heard about these concerns and he will be sending a letter to the FAA from himself and other representative. He will provide the Board with a copy of the letter.

Ms. Mary O'Hara, Chair of Housing Committee, reported that Condos/Coops will now be able to receive assistance from FEMA. For further information contact your State and Federal representative. There is new legislation in 2014 for the STAR Exemption program for homeowners. Homeowners are being asked to re-register online. Senior citizens on the Enhanced STAR Program do not have to re-register. For more information you can call 518-457-2036 Monday to Friday from 9am to 5pm and on Saturday from 9am to 1pm.

Mr. Richard Khuzami, Chair of Parks & Recreation/Cultural Affairs/OTB Committee, reported out of the entire City Parks Budget only 5% was designated to Queens. He want to look into this and is going to do some investigating to confirm this. When he does, he would like the Board to take a position. He then went on to give the upcoming events, the most important is on September 28th Astoria Park will holding It's My Park Day with Shoreline Cleanup at the War Memorial from 12pm to 3pm, , and The Yoga Room Studio at the Terrace Roof from 3:30pm to 4:30pm. There is going to be a Bike Bonanza at Rainey Park on September 21, 2013 from 11am to 3pm. A Leaf Fest on October 19, 2013 and Fall Festival on October 26, 2013 at Rainey Park. Leaf Fest on November 2, 2013 in Queensbridge Park. Green Shores will be holding their monthly meeting on September 30, 2013.

Mr. Babor stated that they (CongressMember Maloney) were checking the status of the sea wall and as he walked through the park it was absolutely filthy. Mr. Khuzami state that this is due to the lack of funds for park staff. Mr. Donato stated that at the Borough Board took a position because when you look at the budget Queens is the second largest and pays the most taxes. There was a report at the Borough President's office to take a position that it should be more equalize.

Mr. Robert Piazza, Chair of Transportation Committee, reported that the members of the Transportation, Safety, Health and Hospital, and Parks committees met with the representatives of the NYFD's EMS regarding the relocation of the Ambulance Deployment Station located at Mount Sinai Hospital of Queens while construction is occurring. The area beneath the RKF/Triborough Bridge, from Crescent to 26th Streets, has been identified as a temporary relocation area. In the Board's folders there are copies of the Deployment Schedule for EMS Station 49 and visuals of the location. Following the meeting with the NYFD the committee discussed and voted to recommend in favor of this relocation with the provision that 1) there be no egress from/to Crescent Street and 2) should this site, at some future date, be considered as a permanent station our community Board must be informed.

NEW/OLD BUSINESS:

Ms. Ann Bruno reported that on Thursday, October 31, 2013 the UCCA will be holding their Annual Children's Halloween Costume Party at Central Restaurant/Lounge from 6:30pm to 9:30pm. Everyone must come in costume.

Ms. Rosemarie Poveromo reported that the UCCA will be having a bus tour of LaGuardia Airport on September 26 2013 at 10:00am at McManus Memorial Park. To reserve a seat or if you have any questions you can call 917-742-6975.

Mr. George Alexiou reported that Athens Square Park is currently under final renovation. The Athens Square organization recently raised \$80,000 toward their goal of \$90,000 to complete the installation of the statue of Sophocles.

Ms. Francis McDonald reported the construction of the building at 23-25 31st Street, that caused damage to the neighboring homes on 32nd Street, has not received the variance required from the BSA to obtain a CO from the Dept. of Buildings. The work necessary to comply with the zoning requires access to the properties on 32nd Street. The property owners are refusing access to their property until the damages to their property is rectified. Now the builders are threatening to sue the homeowners in order to gain access to their backyards to continue their work. Mr. Donato asked if the homeowner obtain a lawyer. Ms. McDonald stated some of them did.

There was no further business before the Board Mr. Prentzas motioned to adjourn, seconded by Ms. McDonald. Motion called and carried unanimously.