

Community Board 1, Queens – Board Meeting Minutes

May 23, 2019

Meeting Opens with Chairperson, Marie Torniali at 6:30 p.m. – Pledge of Allegiance followed.

Chair, Marie Torniali greets all and announces first item for

Board of Standards and Appeals

2019-45 BZ – An application submitted by Sheldon Lobel P.C. Applicant to waive side lot lines pursuant to Section 23-49 to permit construction of a three-story and cellar, two-family building on Block 679, Lot 23 (**31-45 41st** Street) Astoria.

Mr. Frank Noriega, Representative, Sheldon Lobel – He stated that the Architect and the Applicant, Mr. Wong were present. He continued saying that they are asking for a single waiver for a side lot line and walls, this lot is only 21 feet wide not ideal for a two family building, and currently existing is a single family home on the lot built circa 1890. He said they would like to remove the existing building and build something a little more modern for the applicant's family and a second unit. Spoke in detail about the project. (Provided the Board with a PowerPoint presentation).

Marie Torniali, Chairperson asked Gerry Caliando, Co-Chair if he had any questions or comments.

Gerry Caliando, Co-Chair, Land Use & Zoning Committee stated that they met on this item a couple of weeks ago. Mr. Caliando said there is a narrow lot with pre-existing building in the rear yard and the adjoining building to the south is on the lot line and the building to the north has an existing open side yard and the existing building to the south has windows on the lot line and are non-compliant windows, can be blocked if someone builds up against it in this zone, "As of Right". Mr. Caliando stated the Committee reviewed it and voted unanimously to recommend it for approval.

Chair announced second item.

Department of City Planning

Vernon Boulevard-Broadway Rezoning, 32-01 Vernon Boulevard – Applications submitted by Cipico Construction.

Request to Rezone to R6B and R7X1 C1-3 (see agenda) **A) C100421 ZMQ; B) C190386 ZSQ; C) N190151 ZRQ**

Mr. Richard Bass, Representative, Akerman – Stated he was with a colleague. He introduced the Architect, Mr. Gerry Caliando and the landscape Architects, Starr Whitehouse and said the MIH administrator is HANAC. Mr. Bass spoke in regard to the PowerPoint presentation provided to the Board. The proposal is to take an R5 zoned site that has a non-conforming use on it and to rezone it. The resulting development 5, 9, 14 story building will be 330 units of housing some of which will be MIH. Mr. Bass said that on page 3 it speaks about the development proposing a special permit that allows for a large scale plan in terms of the urban design and usage of the project is what you will see built indicates on Page 4 the site is located three major streets. The development will start at five stories in the South to the tallest building will be at the intersection of the three streets. The site is 77,000 square feet, approximately 1.77 acres the three land use actions, one is a map change from R5 to R7X C 1-3 commercial overlay and R6B the second action is mapping an MIH they have the opportunity to do both Option 1 and Option 2 are available for Affordable Housing MIH/ZQA and the third action is the large scale plan. The proposed development will have 315 almost 316 residential 11,000 commercial/retail 92 MIH units, 238 market units, 166 parking spaces, 254 bicycle spaces and 33,000 square feet of open space, 46% of the lot will be open space on page 7 you will see the site plan. The three major streets are Vernon, Broadway and 11th Street. He discussed what all the color coded areas represented. A description of the step down was provided. Page 12 in the hand out provides the MIH breakdown for cost of the units. Page 14 explains open space at the northern tip which is in a flood zone elevation is necessary for that section of the development, they have ramps and steps. The representative states they

met several times with the Land Use and Zoning Committee and they had a unanimous vote and asks for support of the project.

Chairperson Marie Torniali asked Gerry Caliendo to give a report.

Mr. Gerry Caliendo stated he steps down as Co-Chair due to conflict for the next two projects (Vernon Boulevard-Broadway Rezoning and 38th Street Rezoning). He states he will read the report written by his Co-Chair Elizabeth Erion, who was not present. See statement (statement placed in folder, will be used as attachment to Minutes as will the PowerPoint presentation).

The recommendation from the Committee to the Board was 4 in favor; 1 opposed and 3 did not vote for cause; it passed.

Comments/Questions from the Board:

Kathleen Warnock, Board Member stated that building will now be in Zone A which will be in a mandatory flood evacuation zone.

Mr. Richard Bass/Representatives responded that the building will comply.

Antonella Di Saverio, Board Member - Asked about the environmental impact study and wants to know what the results were.

Mr. Bass/Representatives said a study was done in connection with the proposed actions after detailed review with their consultant and Department of City Planning determined that the proposed project would not have adverse environmental impact.

Antonella Di Saverio, Board Member - Stated the concern is the sewer impact, the flooding zone is a concern because they were told there will be flooding in 20 or 30 years as per a Passive House presentation/report.

Tyron Roth, Environmental Firm – Advising the Board they had 8 years of environmental review on this project. In 2014 Mandatory Inclusionary Housing came into effect they have done a really detailed analysis and comprehensive review by City Planning, three designations one for hazardous materials which will require to remediate any contaminated soils, the other is for air quality need to use natural gas for the heating system and the other is for noise to ensure when people move into the buildings for interior noise levels for all the residents. They went through socio-economic infrastructure, waterfront revitalization program with the Department of City Planning's Waterfront Department making sure all the mechanicals are above street level in case of a flood. Went through shadows review, minimal impact for any of the surrounding parks and waterfront properties and no traffic impacts or other impacts.

Bob Piazza, Board Member - Do you satisfy the parking regulation.

Mr. Richard Bass/Representatives answered yes, for 330 dwelling units.

Mr. Piazza, Board Member said around 1,000 people will impact subways.

Mr. Bass/Representatives answered they don't believe it will stress the subway is relatively close to the ferry there are a number of Citi Bike locations that will allow people to bike to the N/W train on Broadway also down to the Citicorp area and Queens Plaza.

Jeffrey Martin, Board Member – He shared that he lives in the area and is happy to see new restaurants and shopping. Noticed rendering into park has one entrance. Making sure it is inviting.

Mr. Bass/Representatives responded there are three points of access to shop and public accessible space that will have stairways, a large stairway in the center. There is a 5 foot wall and on the other end adjacent an access to the

Noguchi Museum and walkup along commercial for residential and shopping by Noguchi Museum south and Socrates Sculpture Park to allow access ADA Access Ramp (10th Street).

Jeffrey Martin, Board Member said a shadow study needs to be done there because of the 14 story building that is going at the intersection of Vernon and Broadway. He said he would like to see the effect of the shadow to the entrance of Socrates. Right now the area is open.

Mr. Bass/Representatives responded, unfortunately, I do not have the study (verbal description provided). Shadow study, was accessed at four different times of the year, on March 21st there was practically no shadow impact, same with May 6th as well as June 21st and December 21st there was a period shadows at the tip of Socrates Park for about 5 ½ hours .

Jeffrey Martin - Second concern about transportation. The buses along Vernon are packed there are not many of them. The jitney was a request from the community, asking to please look into it.

Katerina Duarte, Board Member – Commented that a lot of large developments have communal party rooms and asked if they have looked at the spaces for remote working for residents to release pressure of commuting for rush hour commuters.

Mr. Richard Bass/Representatives responded they can look into it. If they can dedicate a room but the goal is they limited commercial space for small local retail.

Mitchell Waxman, Board Member – Regarding soil remediation, what are the soil contaminates of concern and has green roof been considered for the structure?

Mr. Richard Bass/Representatives responded that they are looking into green options for the buildings, maximizing energy efficiency. With respect to the environmental question they have no knowledge that there are contaminants in the soil but what happens with the process is an E designation is placed on the site before any building permit is issued. The Mayor's Office of Environmental Remediation has to approve a testing protocol, testing has to be done and results submitted by OER. If contamination is found then a health safety plan is put in place and results are sent back to OER, they have to sign off before building starts. It gets dealt with through the Mayor's Office, they don't know necessarily what the results are.

Andy Aujla, Board Member - Confirming that they are rental units and not condos.

Mr. Richard Bass/Representatives responded that is correct.

Jean Marie D'Alleva, Board Member – States new developments they have new windows that open in and only open 4 inches and failing to put screens. Hopes that the plans provide windows with screens. Offering any amenities, what are they and are there additional charges.

Mr. Bass/Representatives responded they do not have that in the plans yet, not up to that point other than the private open space and the public park. They have not developed the interior layout of the entire residential portion of the building, they will possibly offer fitness centers a working lounge in terms of charges have not gotten to that yet. For the MIH portion they will not be charging.

Richard Khuzami, Board Member – Reiterate what he said at the Committee meeting regarding the need for loading facilities particularly for retail deliveries end up in situations like on 21st Street when a truck stops in certain areas the traffic backups for blocks.

Mr. Richard Bass/Representatives responded they do have commercial within the building, the goal would be to set up a zone on 11th Street which is a wide street, trucks can come not block traffic, no trucks stopping at each building. They would unload packages then take packages mail etc. to a distribution center and field out to three mail rooms in the three buildings.

Nancy Silverman, Board Member – She asked if they can tell everyone about commitment to use union labor while doing construction and operation of these buildings.

Mr. Bass/Representatives responded they have not reached that point yet but they have had discussions with building service workers. Once they receive the agreement, they need to review with 32BJ.

Helen Ho, Board Member – Questions the MIH units/AMI.

Mr. Richard Bass responded their zoning text amendment will map both Options 1 and 2 originally proposing to do Option 2 for the entire development. After the initial meeting with the Committee they committed to implementing Option 1 for two of the buildings. Building A and B. Breakdown of MIH units in the presentation. Option 1 they have 25% of the floor area averaging 60% AMI, 10% of the building floor area has to be 40% and then would be 60 and maybe some 80. Option 2 would be 30% of the buildings floor area averaging 80% AMI and right now proposing a distribution of 60, 80 and 100. Goal of the project to do both Options 1 and 2 is to have a mixed income community that has units for all income levels.

Chair thanked him for Presentation and announces the third item.

Department of City Planning

38th Street Rezoning – Applications submitted by Empire MG Properties, LLC C180036 ZMQ; N180037 ZRQ

Eric Palatnik, Representative for the project, introduced himself as a Land Use Attorney – He said he is representing the Pinto Family (Michelangelo Pinto and Domenic Pinto) longtime Astoria family. The property is on 38th Street between 34th and 35th Avenues. They own 5 lots, midblock the whole portion is M1 Zoning, houses fill the block, manufacturing zone asking to rezone to an R6A/C1-3 overlay, now it is zoned M1-1. As so, you cannot have residential development right now. If approved and has CBI's support for their application, they would be able to develop a seven story building that will have approximately 56,000 square feet of floor area, 2,000 square feet of the ground floor for commercial, plentiful parking will be provided in the cellar and sub cellar for approximately 80 cars but only 15 parking spaces would be required. Allow to create 57 apartments approximately, 18 would be affordable. Building about 70 feet tall. The zoning is outdated. Blocks are filled with houses. Residential row houses on street, it is relatively quiet. You would be enabling them to develop and provide some affordable housing also enable all the property owners to secure loans, get insurance and make changes they cannot do now. They have spent years with this application and years addressing it with the Community Board. There was concern regarding the ground floor becoming a C1 overlay. He indicated that Michelangelo would be talking about the different types of businesses he will have at the location including a meditation studio and Energea.

Michelangelo Pinto – Introduced himself and spoke about his father who has been in the community for over 51 years teaching people to drive safely (Ferrari Driving School). He said he started Energea in 2014, which is an arts and music collective. They have music studios that people rent out and they have music production classes. They have curated the art murals in the neighborhood on 34th Avenue, 37th and 38th Streets and some on Steinway, it is a part of his 38th Street project. He knows a lot of artists who have committed to do artwork on every floor. He would like to see Energea open an art studio which would service the community. Also have local artists show their work, art shows and teach classes as well. They had done art classes in the past but ran out of space. Would like to have a wellness and meditation studio in the other commercial space called “innerNest”, they have been in talks with them. He feels it is something positive. He would never put anything detrimental to the community. He shared that he plans on living there. He said he would be happy to answer any questions.

Comments/Questions from the Board:

Marie Torniali, Chairperson asked Gerry Caliendo to report on the committee's findings.

Mr. Gerry Caliendo said he was stepping down as Co-Chair of the Committee and would read the report from his Co-Chair Elizabeth Erion. (Mr. Caliendo reads report in folders, to be attached to the Minutes.)

The vote was 3 in favor; 3 opposed and 2 not voted for cause; the Motion was not carried. The Committee will break out to finalize the recommendation.

Bob Piazza, Board Member – Asked about affordable housing rents.

Mr. Palatnik said they have all of that and presented it to the Committee. He was asked to keep presentation short. There was a lot of back and forth. He said that Option 1 is 60% AMI and approximately 15 would be affordable income range of approximately range from \$783 for 1 bedroom, \$731 for a studio, up to \$2,000 for 3 bedroom. Higher, 80% AMI which would be \$1,000 for a studio. They went back and forth and they left it to their discretion. Committee discusses the two options and they came back to them with revisions that showed 57 apartments now, changed it to 17 - 2 bedrooms and 5 - 3 bedrooms as requested by the Committee.

Mr. Palatnik showed everyone a photo and described 30 foot rear yard and parking entrances.

Kathleen Warnock, Board Member – Very happy there will be an art gallery, meditation center. Asking how it will change the character.

Mr. Palatnik said it will enhance the area and attract younger families benefit to the thriving community. He said it is M1, theoretically he can have a gadget company or garbage company could buy out the block for a number of uses. This eliminates the industrial prospect right next to the homes. Some of the buildings are 35-40 feet now, they are asking for 70 feet tall it is consistent with the surrounding area, not out of character.

Mr. Tony Argento stated he lives on 38th Street for about 40 years. That area has a parking problem not enough spots. He said that 80 additional spots is a benefit to community. I could rent a spot full time and is great for the neighborhood.

Andy Aujla, Board Member – Confirming that they are all rental units. What is the next tallest building on 38th Street between 34th and 35th Avenues?

Mr. Palatnik, Representative - Yes, the Ice House about 70-90 feet.

Nancy Silverman, Board Member – Stated that she lives on 42nd Street between 34th and 35th Avenues. She is very concerned about his statement that they are going to attract young families. Lives on a street that most buildings are rent stabilized and have 6-8 units. I am a working class person and live in a rent stabilized unit and I am a person who cannot afford the apartments even with MIH. She said it does not sound like that is who you want to attract. I am very concerned about changing community and concerned about young families. Astoria is becoming unaffordable. This is not being addressed, having things like art studios and meditation studios is heart washing gentrification which makes it worse.

Mr. Palatnik, Representative said they will be creating 15 affordable units for families that will cost about \$700/\$800 a month for a one bedroom, they will move up the spectrum that will allow people to live the dream, 3 bedrooms would rent \$2,100 a month 1 bedroom would be a \$783, a Studio \$731, a 2 bedroom \$900. These numbers are unheard of, 2 bedrooms in the marketplace are about \$3,653. These are brand new apartments.

The Chairperson said that the Committee did request 3 bedroom apartments to draw in families.

Helen Ho, Board Member – What would your income have to be to rent those apartments?

Mr. Palatnik, Representative – The max income for example for a 2 bedroom with a rent of \$1,400 a month would be \$59,000 max income; 1 bedroom at \$1,100 is \$47,000; \$1,800 income level \$83,000. They are \$40-\$80,000 a year range. The \$40,000 range are blue collar jobs captured and \$80,000 are white collar.

Helen Ho, Board Member – Is the lot on the East side or West side of 38th Street and does the parking lot have an exit on Steinway Street?

Mr. Palatnik, Representative – It is on the West side of 38th and the parking opens to 38th Street.

Dino Panagoulas, Board Member – These are houses currently, so what happens to the tenants?

Mr. Palatnik, Representative – The Pintos are not displacing anyone. They are helping relocate them and have spoken with them already. If they can, they will give them first option on the rentals or for the affordable housing but will have to fill out an application.

Dominic Stiller, Board Member – Filing a BSA/City Planning application to rezone the entire block 35th-34th Avenues and 38th Street. Asked for clarification on the picture map.

Mr. Palatnik, Representative – Kaufman Astoria use to own the property and explained per the picture map what the area is for the rezoning.

Mitchell Waxman, Board Member – Concern about the area, the automotive parking, there is a significant traffic issue. Asking to consider bicycle destination. He wants it to face the public as well as the residents.

Mr. Palatnik, Representative said there is bicycle parking on side for residents of building, will be private. They could work with city to create a bike share and Citi Bike is on corner.

George Alexiou, Board Member – Are they going to have rent stabilization rules and every year have increases?

Mr. Palatnik, Representative – He explained that the City has a new program called Mandatory Inclusionary Housing (MIH) which is regulated by HPD and is relatively new. The developer or landlord has nothing to do with that.

Jean Marie D'Alleva, Board Member – Any consideration of the owner accepting housing vouchers? This is a major problem in the community a lot of people do not accept them.

Mr. Palatnik, Representative – Under the MIH program HPD regulates it and he does not know if they accept vouchers. I would have to get back to you.

Richard Khuzami, Board Member – Will the other apartments be rent stabilized?

Mr. Palatnik, Representative answered, no.

Katerina Duarte, Board Member – She shared that she was the family that she stopped working but had to pay for child care, her husband was the only one working and supporting a family of four. When you hear \$80,000 you think it is a lot of money but in reality it is not because after the bills/expenses you have nothing left. She would like to see the community also representing the people trying to raise a family here and cannot afford Manhattan or do not want to move to Long Island. For the people who want to stay here should not be pushed out.

Mr. Palatnik, Representative – 75 families will have an opportunity to live here that did not.

Nancy Silverman, Board Member – What is the percentage of the units that are currently rent stabilized?

Mr. Palatnik, Representative - None because they are currently two family homes.

Public Comment:

Susan (Resident) said she has lived in Astoria for 17 years. When they started building by Astoria Houses, Halletts Point, one thing that was never discussed was a bus driver comfort station/s feels they are necessary, the workers are always forgotten.

Tony Mazzara – Local Real Estate Broker working in Astoria since 2006, lives here since 1985. This project is very important for Steinway Street and any development of residential building one block in distance of Steinway is beneficial. Steinway was the diamond of Queens, it was the heart and people have forgotten that.

Sydney Colazzo said she is the Founder and Organizer of Relax NYC which is Meditation Studio in the heart of Astoria on Steinway Street - Meditation is important to bring to the community because many people work so hard don't have a break and everyone needs self-care practice. She has been talking with the 38th Street developers and having a store front there would be awesome.

Marie Torniali, Chairperson thanked Mr. Palatnik.

The Chairperson, Marie Torniali announced there would be a **Breakout Session** for Land Use & Zoning Committee to meet and would return in approximately 5 minutes.

Session Resumes:

Gerry Caliendo, Co-Chair, Land Use and Zoning Committee announced the recommendation for **2019-45 BZ, 31-45 41st Street** - announced that the Committee made a Recommendation and Motion to Approve the application; Seconded by Tom Ryan.

Chairperson, Marie Torniali calls for a Roll Call; Roll call by Jean Marie D'Alleva.

Chair calls 26 Votes in Favor and said the Motion carries.

Gerry Caliendo, Co-Chair, Land Use and Zoning Committee announced the recommendation for **32-01 Vernon Boulevard (A) C100421 ZMQ; B) C190386 ZSQ; C) N190151 ZRQ** – announced that the Committee made a Recommendation for approval of the three items.

Chairperson Torniali asked for a Motion to Approve Amy Hau; Seconded by Jean Marie D'Alleva

Roll call by Jean Marie D'Alleva

22 in Favor; 2 Against and 2 Abstain for a Cause

Gerry Caliendo, Co-Chair, Land Use and Zoning Committee announced the recommendation for **38th Street Rezoning C180036 ZMQ; N180037 ZRQ** – announced that the Committee met there was 1 abstention and the rest unanimous for approval, they recommend approval

The Chair asked for a Motion to Approve Motioned by Pauline Jannelli; Seconded by Tom Ryan

Roll call vote by Jean Marie D'Alleva

21 in Favor; 4 Against and 1 Abstain for Cause

Marie Torniali, Chairperson said the Motion carries.

Elected Officials/Representatives:

Mr. Joseph Nocerino – The Queens Borough President sends her regards. Hosting two events at Borough Hall first one, partnering an event with the Public Advocate Jumaane Williams for Queens Town Hall on Gun Violence on Thursday, May 30th 6 p.m.-8 p.m., left flyers, please RSVP, food served. On June 19 partnering with Councilman with Danny Dromm and Councilman Jimmy VanBramer the Pride Month Celebration, please RSVP, food served both events will be at Borough Hall. The Borough President had her Annual Women's Celebration and honored the District Managers and of course she honored Florence Koulouris, Community Board 1's District Manager but she was unable to attend. Mr. Nocerino read, "Citation of Honor to Florence Koulouris Queens County Board 1 for outstanding service to the community Florence has been with Queens Community Board 1 for 12 years and has been District Manager for the last 3 years. She is deeply familiar with Astoria and has a deep appreciation of the unique diversity of this community. Florence takes great pride in the community she represents and works tirelessly to improve the quality of life in Community Board 1. She is dedicated to resolve in all constituent issues in a timely and expedient manner. On behalf of the nearly 2.4 million residents of Queens, the World's Borough, we commend

and thank Florence for being a woman of distinction and for her great work on behalf of the residents of Community Board 1.”

Florence Koulouris, District Manager said, “Thank you to all for giving me the opportunity to do what I love, each and every day.”

Daniel Banthius, Operations Coordinator, Caseworker and Field Representative for Alexandria Ocasio-Cortez – Reported he had a couple of updates on the legislative side the Congresswoman introduced the Loan Shark Prevention Act with Senator Bernie Sanders this bill fight back against predatory loans capping interest rates at 15% for credit cards paid in loans and title loans. Additionally, in the Oversight Committee the Congresswoman and the staff initiated a hearing price gauging happening with Aids treatment drugs the Congresswoman pressed the executives on why it costs \$8.00 in other countries and costs \$2,000 per patient in the United States. On the community side their office is paying close attention to the process around the proposed Air Train to LaGuardia the public comment period has started and will be open until June 17th you can submit on the website at: www.lgaaccessseis.com/formal-comment or via email: comments@lgaaccessseis.com

They encourage to do so or access information as well. There are details being considered like the expansion of the N/W train which is in CB1 both above and below ground as well as bus routes. There will be public meeting on June 5th and June 6th information will be on their website. Please reach out to their office if you need updates. They recently put out a digital newsletter it included a message from the Congresswoman. If you want the upcoming newsletters, he mentioned he had sign-up sheets. As always their office will assist constituents with any federal issues including immigration and social security, caseworkers available 9 a.m. – 5 p.m. every weekdays and walk-ins in Jackson Heights and coming soon in the Bronx and you can submit constituent services on the website.

Chairperson Torniali thanked him for the update.

Mark, Director of Community Affairs for Assemblyman Brian Barnwell – Announced events, on Thursday, May 30th from 2 p.m. - 4:30 p.m. they will have a mobile Mammogram Screening (Free), near Broadway Branch Library, should you have any questions you can call the office at: 718-651-3185, Tuesday, June 4th 10 a.m. - 3 p.m. will have a Free Legal Service van they can answer an array of questions, you have to RSVP, please call the office. Legislative update, the rent laws expire in 22 days, so rent control and rent stabilization will not exist. This year is the first year that they have a fully democratic state legislature in addition to having a Democratic Governor hoping to renew the rent laws and to significantly stand. The Assemblyman has been attending hearings throughout the state. It has been a statewide issue. One of the bills is Universal Rent Control. The idea behind this is that we believe housing is a fundamental human right, there are 89,000 homeless people in our city, everyday there are 100 people evicted in the State of New York. We can't keep going at this rate, the working class is being pushed out. We hope we can make New York City and New York State more affordable and equitable for everyone. Happy to take any questions. Mentioned he left flyers on the table.

Chairperson Torniali thanked him.

Chairperson Marie Torniali requested a motion to adopt the April 2019 Minutes.

Motioned by Amy Hau; Seconded by Antonella Di Saverio

Chair Report:

Chairperson Marie Torniali – She announced that Melanie La Rocca has been appointed as Commissioner of the Buildings Department and asked to congratulate her. Chairperson Torniali stated that the four new board members will be joining some of the committees. She said that the Committee List will be revised and will be in your folders in June. She also asked that all the Board members make any requests and/or changes before next month and thanked everyone.

District Manager Report:

District Manager, Florence – Announced in the essence of time she would be waiving her report and if anyone should have any questions to please reach her at the office. She wishes everyone a wonderful holiday weekend.

Committee Reports:

Andy Aujla, Chair, Consumer Affairs Committee – He said the Committee met and they brought in two local businesses: Oven Grill Chill Lounge, at 42nd Street and Broadway and Fusion Bistro and Lounge, on Steinway. Questioned them about noise complaints. They unanimously approved their applications based that they would be improving. The also sent a denial letter on Home which was closed on Steinway, they wanted to issue a new license just for beer and wine but being they already disapproved them previously they stuck with that decision. Lastly, spreadsheets are in the folders. Motion to Approve to the Stipulations and/or any questions.

Nancy Silverman, Board Member - What is the stipulation for the outdoor café, Café Bar?

Andy Aujla, Chair, Consumer Affairs Committee – It is just a general stipulation for all cafés and can give you a copy if you like.

Motioned by Eric Mouchette; Seconded by Nancy Silverman. Show of hands unanimous.

The Chairperson and Andy Aujla thanked everyone.

Tom Ryan, Co-Chair, Community & Economic Development Committee – They had a meeting with New York City Economic Development Corporation (EDC) as well as with Hornblower, the Ferry regarding the Astoria landing. Marking Signs by Hornblower/MTA so people can find it easily. The want to them to fixup the area because it is isolated and poorly lit. They want to possibly move a bus terminal to the South side of Astoria Houses by the ferry.

Antonella Di Saverio, Chair, Environmental Protection Committee – Having a meeting on June 11 Meeting on the Passive House resolution and also the 5G Rollout.

Gerry Caliendo, Co-Chair, Land Use & Zoning Committee – No report.

Nancy Silverman, Chair, Parks/Recreation/Cultural Committee – Stated they had a meeting discussed a number of things. They will be tabling at Movies Under the Stars for the movie E.T. on May 31st at 8:30 p.m. at Raimonda Playground located at 47th Street 20th Avenue sponsored by Councilmember Constantinides, they partnering. There will be two temporary public arts projects, one will at Queensbridge Park June 2019 through March 2020 the other temporary installation is for benches/outdoor seating on Hoyt Avenue June 2019 through– September 2019 artwork made with some of the public schools in our area and other parts of NYC. Shirley the Parks Manager attending a meeting to give them a Parks Update of the District, too many to mention. The Dog Park passed through the Participatory Budget located at Triborough C to open late May 2019 but there is an issue with Community Partner they no long live here but need their help to upkeep. Playground 35 is delayed. Dutch Kills playground possibly to open on May 31st. There will be a scoping meeting on May 30th for Rainey Park from 6 p.m. – 8 p.m. at Noguchi Museum for the Picnic Grove, Dog Run and redo of the basketball courts.

Robert Piazza, Co-Chair, Transportation Committee – Stated that Durst would like to meet with the Transportation Committee to discuss the ferry route at Halletts Point. He said they may meet in September rather than in June or summer.

Old/New Business:

Kathleen Warnock – Announced “Caroline” APAC to support local arts runs through this weekend the cost is very low and it is wonderful show.

Public Session:

Reverend Edmund Brady – Talked about Diabetes, people living with it and recovering. He said plant based diets, eating fruits, vegetables, pasta but no meat or dairy products are helpful. They have a group at Mt. Carmel Church (mentioned flyers at the table). He said Eric Adams, Borough President of Brooklyn can be seen on YouTube for more information.

Neil Herdan, Friends of Whitey Ford Field - Announced Family Day on June 1st at Whitey Ford Field. Thanked Richard for the idea of putting up banners, it was very successful. They will be providing portable comfort stations. Last week they negotiated with Brooklyn Harvest to have access to restrooms.

Margaret Rodgers – Thanked all the Board Members. She stated she believes housing is a human right. NYCHA is falling apart. Threat of RAD which would mean more privatization. She urged to somehow start to think beyond the box. We cannot fight for Affordable Housing for all simply by zoning and squabbling over Option 1 and Option 2 it is a losing battle and will never get it that way. Ms. Rodgers asked to start looking into community land trust and things that do not exclusively involve private developers.

Chairperson, Marie Torniali requested a Motion to Adjourn and wished everyone a great Memorial Day weekend.

Motioned by Amy Hau; Seconded by Eric Mouchette

Meeting Adjourned: 8:45 p.m.

**LAND USE COMMITTEE REPORT FOR PUBLIC HEARING
May 23, 2019**

TO: All Board Members
FROM: Elizabeth Erion, Committee Co-Chair
DATE: May 22, 2019

On Wednesday, May 1, 2019, the Land Use and Zoning Committee reviewed three items for Community Board public hearing on May 23, 2019. A quorum was present.

Item 1:

2019-45 BZ Side Yard Waiver 31-45 41st Street, Astoria

Application to Board of Standards and Appeals to waive side lot line provisions pursuant to Section 23-49 of the Zoning Resolution to permit construction of a three-story, semi-detached, two-family building on Block 679, Lot 23 located in an R5 zoning district.

Background Information

Richard Lobel of Sheldon Lobel PC and Jorge Fontan of Fontan Architects represent the Applicant who seeks relief from Section 23-49 (Special Provisions for Side Lot Line Walls). This regulation does not permit attached, zero-lot line buildings in R5 zoning district. A waiver would allow the proposed building to abut an adjacent residential building that was constructed before 1961.

The site consists of a 2,100 SF lot that fronts on 41st Street, is 21 feet wide and occupied by a 1,200 SF single-family frame structure. The footprint of the existing building is 30' x 20', is set far back from the front property line and does not comply with existing yard regulations. With the exception of the zero-lot line issue, the proposed three-story, two-family building will comply with all R5 district regulations for height, floor area and street walls and will provide one 8-foot side yard. The majority of homes on 41st Street are large, lot line structures with no or under-sized side yards.

Applicant's response to BSA findings necessary to grant waiver

- a. Unique Lot Condition: 21-foot wide lot is too narrow to redevelop as of right; existing building is non-complying, obsolete and cannot be expanded as of right;
- b. Reasonable Return: N/A
- c. Neighborhood Character: the use and design of the proposed building is similar to surrounding development;
- d. Self-Created Hardship: the undersized lot existed prior to 1961;
- e. Minimal Variance: variance will allow a residential enlargement with practical floorplates.

Land Use Committee Comments and Recommendation to the Board

Concern was expressed about obstructing existing lot-line windows on the adjacent building and that the façade of the new building should blend in with surrounding buildings.

The Committee considered that existing lot-line windows are not legal under the NYC Building Code and cannot be used for habitable rooms. Buildings on the block are pre-1961 construction and indicate there was a general intention to have attached buildings that extended lot line to lot line. Windows could have been added in later years. A request to have the proposed façade materials "respect" the surrounding neighborhood character will be noted in the Board's letter to BSA.

After hearing the presentation and reviewing the Statement of Facts and Findings, the Committee voted unanimously to recommend approval of BSA application 2019-45 BZ.

EEB 5/21/19

Item 2:**C 100421 ZMQ, C 190386 ZSQ and N 190151 ZRQ Vernon Boulevard-Broadway Rezoning**

Applications submitted by Cipico Construction Inc., to facilitate construction of three mixed-use buildings with approximately 351 dwelling units, cellar parking garage, ground floor commercial, community facility and public open space located at 32-01 Vernon Boulevard (Block 315, Lot 1).

- a) **C100421 ZMQ** Application to rezone from R5 to R6B and R7X/C1-3, one block bounded by Vernon Blvd., Broadway, 11th Street, 10th Street and 33rd Road;
- b) **C190386 ZSQ** Application for a grant of a CPC Special Permit (ZR 74-743) for bulk modifications within a Large Scale General Development (LSGD) plan, subject to the conditions of CEQR Declaration E-518 and
- c) **N190151 ZRQ** Amendment to Appendix F of the Zoning Resolution to designate rezoning area as an Inclusionary Housing Designated Area and Mandatory Inclusionary Housing Area under Options 1 and 2.

The Applicant's representative presented the project to the Land Use Committee on April 3, 2019 and again on May 1, 2019 after City Planning certified the application.

Land Use Committee members Gerry Caliendo and Sandy Anagnostou (public member) disclosed their involvement as project architects; Tom Ryan disclosed his connection to the firm representing the Applicant.

Summary of Land Use Committee Comments from both meetings with Applicant

- Proposed Option 2 income tiers and rents do not reflect the lower household incomes and rents in the immediate area – not the District as a whole
- Reduction in number of studios and 1-bedroom units in favor of larger units suitable for families
- Suggestion to provide connection by jitney to different transportation hubs including Astoria Ferry, N, W and F subway stations to prevent congestion at any one mode.
- Concern about hardness of landscaping and continued maintenance: detailed requirements for maintenance and plantings in restrictive declaration
- Open space operation and signage: dawn to dusk generally then locked overnight and clearly marked as publicly accessible
- Maintenance of street trees not part of restrictive declarations
- Comparability of fixtures for affordable and market units
- Commercial rents within development should encourage mom & pop businesses
- Incorporate off-street loading areas for development
- Shadows cast by development: methodology requires only examined public open space sensitive receptors, not measured on regular residences
- There is a need for local retail in area

The Committee generally appreciated the revisions made to the project application following the April 3rd meeting. The changes should be codified in any subsequent restrictive declaration with City Planning and HPD.

- MIH rents and income tiers for potential occupants will be based on both Option 1 and Option 2 limitations. Although the total number of units was reduced, using tiers from both MIH Options will bring the rents and eligibility limits closer to the actual economic profile of the local neighborhood.
- While the overall apartment distribution (by number of bedrooms) is still skewed toward single and 2-person households (63% of all units), the Applicant increased the number of 2- and 3-Bedroom apartments in the development.
- Transportation to and from the proposed development is an issue because of its distance from mass transit except by bus connections (16 min walk .7 mi to Bway station and 24 min. walk 1.1 mi to F train). The Applicant indicated they would look into providing connection service.
- The graduated building heights are sensitive to the surrounding neighborhood character and limit the impact of the buildings on nearby open spaces and cultural uses; the exterior elements used on the façade give the project interest and visually reduce the mass of the building. A building height of fourteen stories, though well designed, remains a concern for some committee members as it sets a precedent for new development and higher densities with consequent economic changes in this part of Astoria/Ravenswood.

Recommendation to the Board

On a motion to recommend approval, the Committee voted 4 in favor, 1 opposed, 3 not voting for cause.

Item 3:**C 180036 ZMQ and N 180037 ZRQ 38th Street & Rezoning**

Applications submitted by Empire MG Properties, LLC to facilitate construction of one seven-story mixed-use building with ground floor commercial space and 62 dwelling units with 19 MIH units under Option 2 for households with incomes averaging 80% of AMI. The project would also provide 80 below-grade parking spaces.

1) C 100421 ZMQ Rezone from M1-1 to R6A/C1-3 and from M1-1 to R6A a portion of Block 645 (27 lots) bounded by 34th and 35th avenues, 37th and 38th streets

2) N 180037 ZRQ Amend Appendix F of the Zoning Resolution to designate the rezoning area as an Inclusionary Housing Designated Area and Mandatory Inclusionary Housing Area under Option 2.

Erik Palatnik, representing the Applicant, first presented the proposed actions and development to the Land Use Committee on February 1, 2017. Three subsequent presentations and discussions were held April 4, 2018, February 6, 2019 and April 3, 2019. City Planning certified the application on April 22, 2019. Land Use Committee members Gerry Caliendo and Sandy Anagnostou (public member) disclosed their involvement as project architects.

Summary of Land Use Committee Comments from All Meetings

- Strong objections to the original proposal to rezone a portion of the project area to C4-4D (R8A residential equivalent). C4-4D would introduce a 6.02 residential FAR with MIH adjacent to a residential area predominantly zoned R5 and result in a project significantly out of context and scale with existing low- and mid-rise development. (Note: The application was subsequently revised to remove the C4-4D zoning district.)
- Applicant has not selected a non-profit to conduct outreach and tenant selection process for the MIH units.
- Prior to certification, the Applicant should provide the Committee with an intended apartment mix, proposed targeted income levels and projected rentals for the MIH units.
- Applicant's restrictive declaration with HPD should include rentals and income tiers that are closer to the economic profiles of the surrounding by blending income tiers from both Option 1 and Option 2.
- The MIH apartment mix should not be predominantly studios and one-bedroom apartments, but instead offer more two- and three-bedroom units for families.
- No Committee position was taken about the commercial overlay extending into the midblock along 38th Street largely due to the existing commercial uses along both 38th Street blockfronts.
- The residentially developed lots in the rezoning area are legal non-conforming uses in an M1-1 zone; the proposed R6A rezoning is appropriate and would benefit residential owners.

The Applicant analyzed the number of units and rentals under Option 1 for incomes at 40%, 60% and 80% AMI (15 units) and under Option 2 at 60%, 80% and 100% AMI (18 units).

The number of three-bedroom apartments was increased and, therefore, reduced the overall number of MIH units 62 to 57 units with the following breakdown:

Studio = 10 (17%)
1BR=25 (44%)
2BR=17 (30%)
3BR=5 (9%)

Committee Vote on a Recommendation for the Board

At the Committee's May 1, 2019 meeting, a motion was made to disapprove the application unless the commercial overlay was reduced from the midblock. The motion was not seconded.

A new motion was made and seconded to approve the application as submitted. The vote was 3 in favor, 3 opposed and 2 not voting for cause. The motion was not carried.

The Committee expects to break out after the public hearing to finalize its recommendation.

32-01 Vernon Blvd. Large Scale General Development



Queens Community Board 1

May 23, 2019

Applicant

Cipico Construction Inc.

Architect

Gerald Caliendo Architect PC

Landscape Architect

Starr Whitehouse Landscape Architects

MIH Administrator

HANAC, Inc.

Land Use Counsel

Akerman LLP

1. Project Overview
2. Area Context/Development Site
3. Land Use Actions
 - i. Zoning Map Amendment
 - ii. Large Scale Special Permit
 - iii. MIH Text Amendment
4. Proposed Development
5. Open Space
6. Project Overview

Project Overview

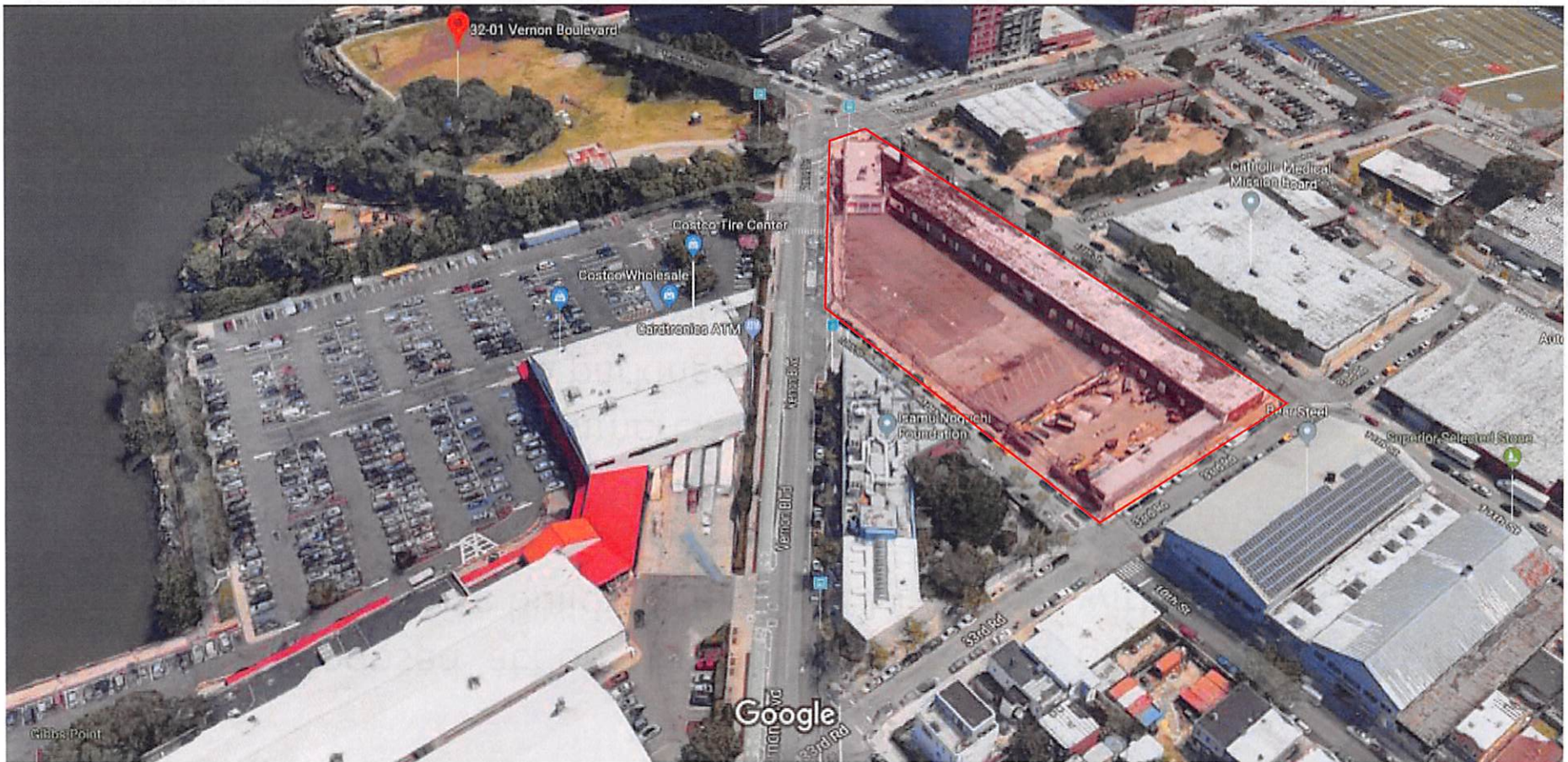
Cipico Construction Inc. proposes several land use actions to facilitate a Large Scale General Development (LSGD) on an underutilized, non-conforming entire block site located at 32-01 Vernon Boulevard.

The proposed actions would facilitate the development of three mixed-use buildings (5-, 9- & 14-stories) with:

- 330 units (92 MIH units)
- new local commercial and community facility space,
- a cellar level parking garage, and
- landscaped public and private open space.

Vision: Redevelop site with new housing, local retail, food/beverage, and community facility uses, creating a linkage to waterfront parks and surrounding cultural institutions.

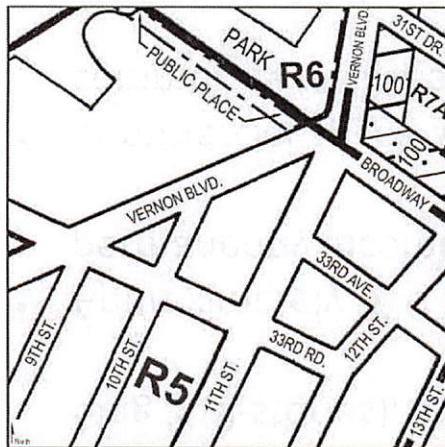
Area Context & Development Site



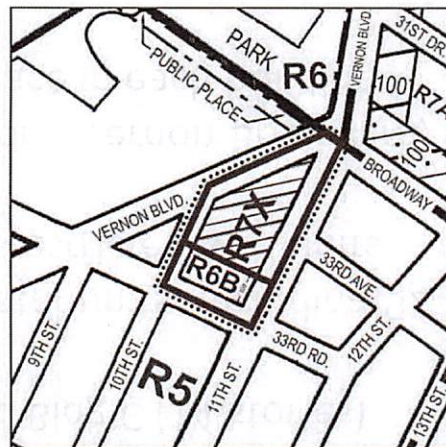
- The proposed rezoning area and LSGD is bounded by Vernon Boulevard and Broadway to the north; 11th Street to the east; 33rd Road to the south; and 10th Street to the west
- Irregularly-shaped block – approximately 77,234.69 square feet (1.77 acres)
- Improved with a one-story garage/warehouse, majority of the site is open parking and storage
- Occupied by non-conforming industrial use in the R5 zoning district
- Located in Flood Zone A (2015)

Land Use Actions

1. Zoning map amendment to change the existing R5 zoning district to R6B and R7X/C1-3 zoning districts;
2. Zoning text amendment to establish a Mandatory Inclusionary Housing (MIH) Area; and

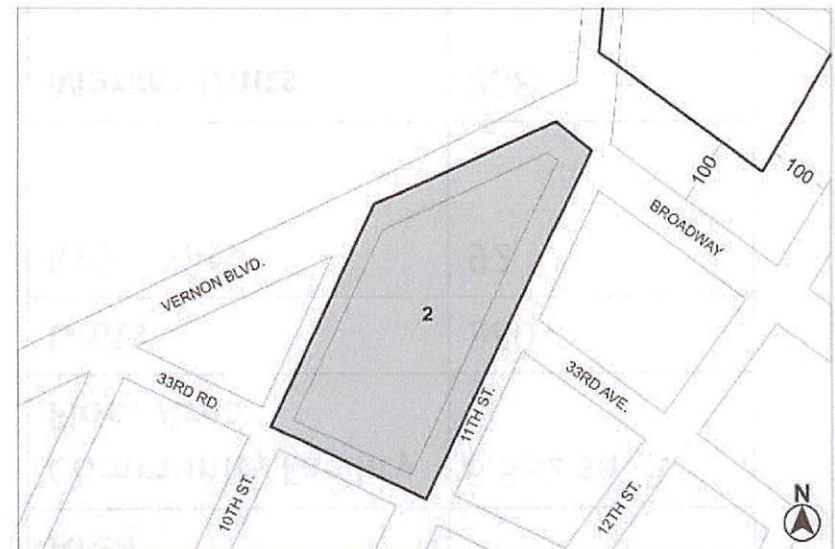



Current Zoning Map (9a)



Proposed Zoning Map (9a) - Area being rezoned is outlined with dotted lines

Rezoning from R5 to R7X/C1-3
Rezoning from R5 to R6B



 Mandatory Inclusionary Housing Area (see Section 23-154(d)(3))

Area 2 — [date of adoption] — MIH Program Option 1 and Option 2

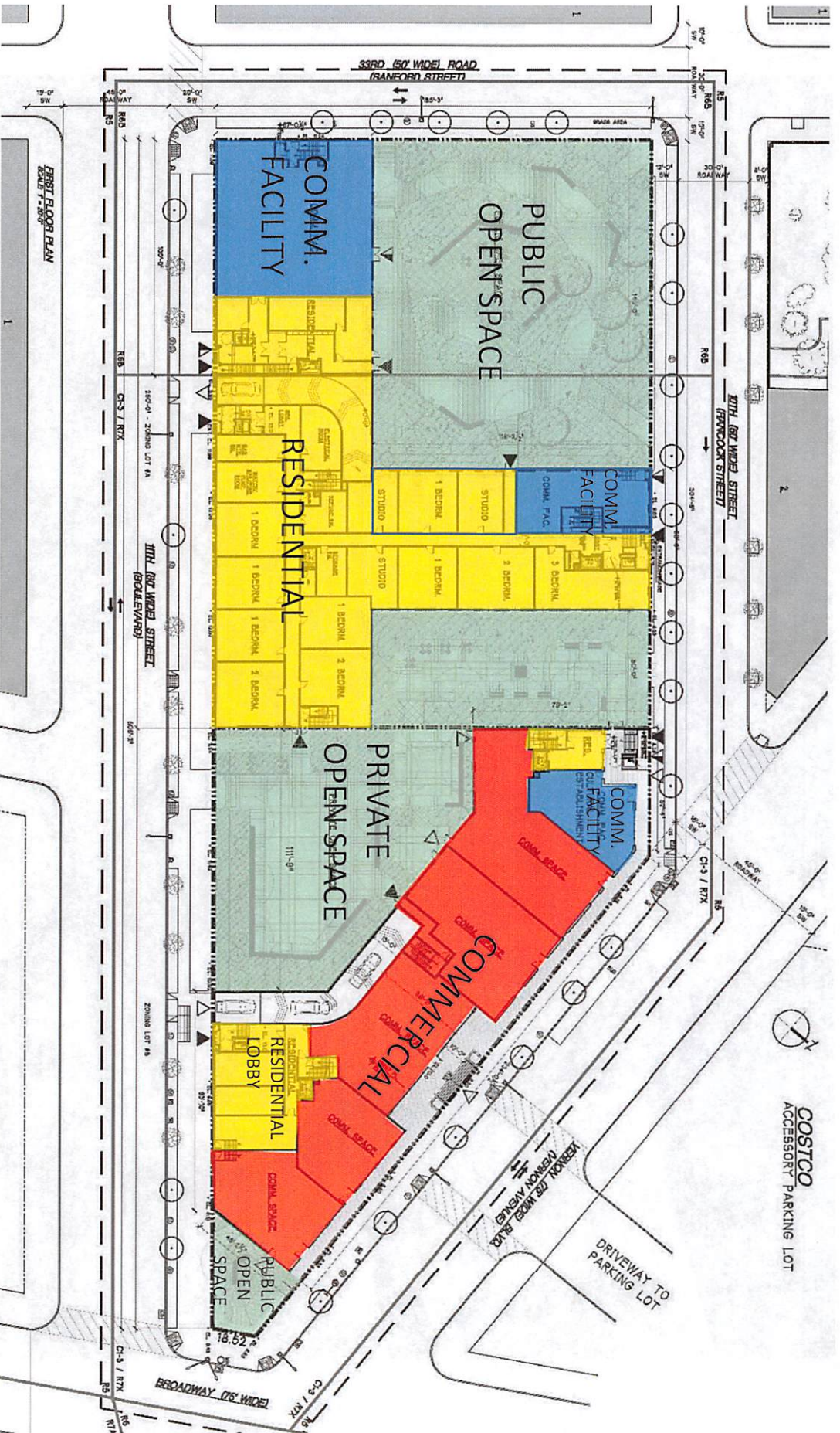
3. Special permit to establish a Large Scale General Development
 - permits transfer of floor area to northern portion of site at intersection of 3 wide streets
 - allows portion of Building B (midblock) to be lower than minimum base height

Proposed Development - Overview

- Large Scale General Development to restrict development to the proposed site plan and bulk envelope (including height and floor area)
- 3 mixed-use buildings – Bldg A (5-stories), Bldg B (9-stories), and Bldg C (14-stories)
- Approximately 330 total units, including 92 permanently income-restricted MIH units
- Commercial space along Vernon Boulevard, community facility space in each building
- 166-space cellar level parking garage accessed from 11th Street
- 16,545-sq. ft. landscaped public open space at 10th Street and 33rd Road

Floor Area Total	334,085 sq. ft.
Residential Floor Area	315,966 sq. ft.
Commercial Floor Area	11,236 sq. ft.
Community Facility Floor Area	6,882 sq. ft.
Units	330
MIH Units	92
Market Units	238
Parking/ Bicycle Parking	166/254
Open Space	33,604 sq. ft.

Proposed Development - Ground Floor Plan



Proposed Development - Urban Design



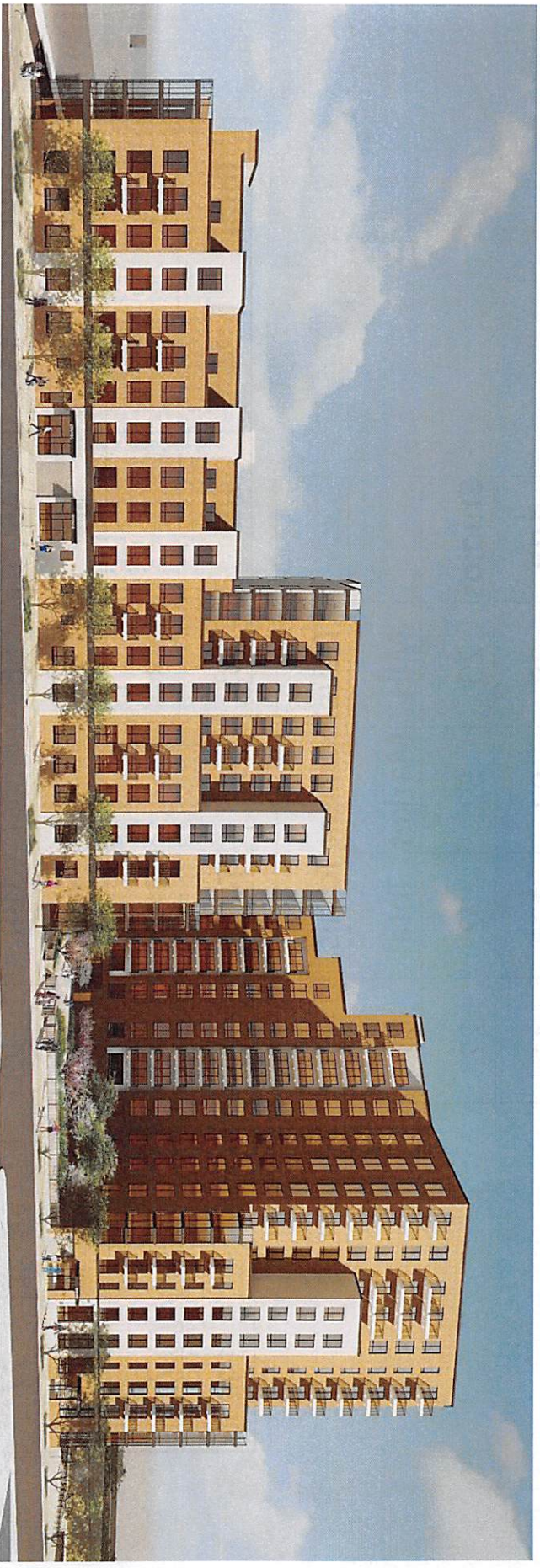
Proposed Development - Vernon Blvd. Frontage



Proposed Development - 10th Street Frontage



Proposed Development - 11th Street Frontage



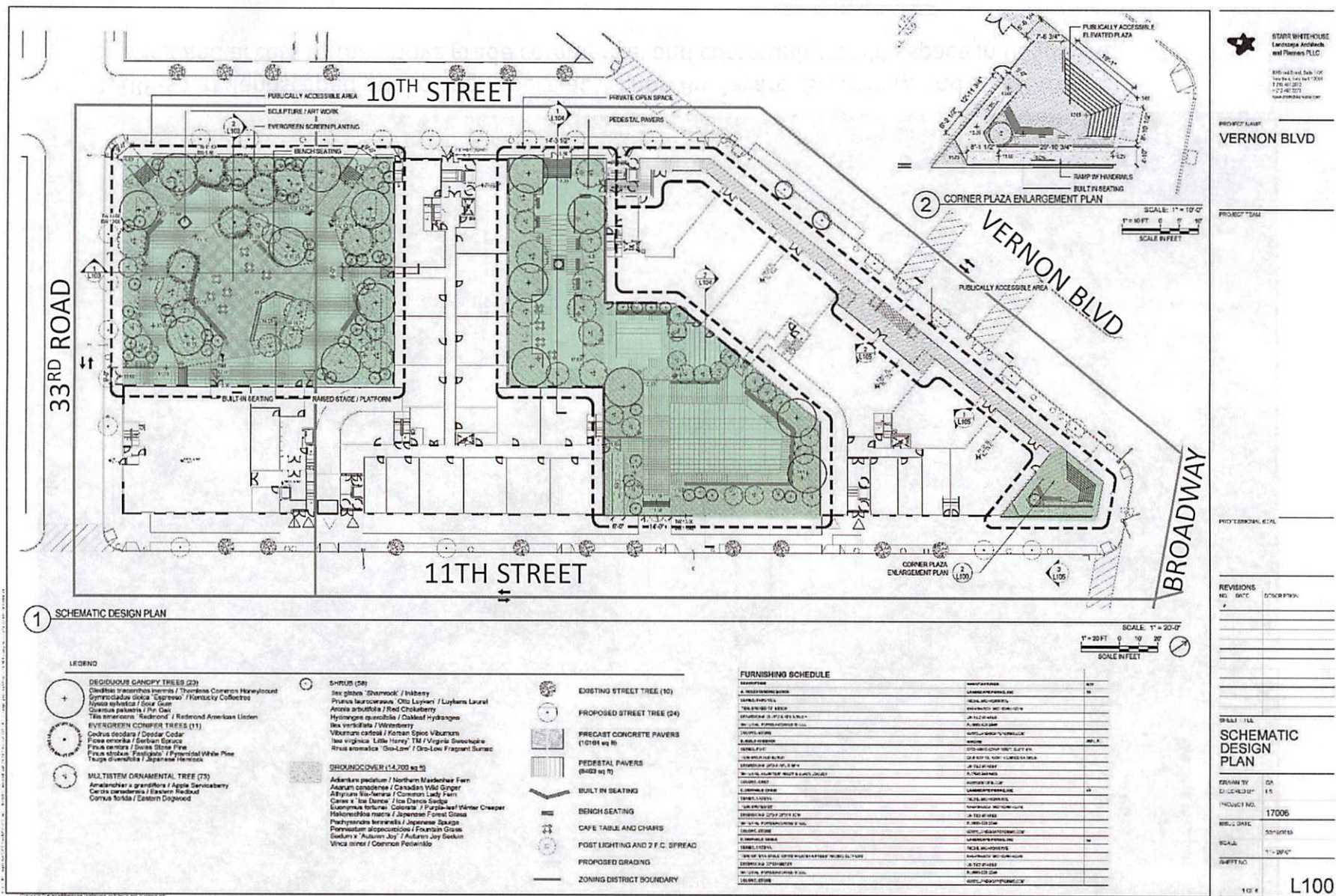
Proposed Development - Unit Distribution & MIH Breakdown

Buildings A & B – MIH Option 1			
	MIH	Market	Total
Studios	7	22	29
1BR	15	43	58
2BR	10	30	40
3BR	2	6	8
Total	34	101	135

Building C – MIH Option 2			
	MIH	Market	Total
Studios	13	30	43
1BR	23	54	77
2BR	20	48	68
3BR	2	5	7
Total	58	137	195

Development Totals				
	MIH	Market	Total	%
Studios	20	52	72	22
1BR	38	97	135	41
2BR	30	78	108	32
3BR	4	11	15	5
Total	92	238	330	

Open Space - Site Plan



Open Space - Public Open Space at Northern Edge of Site



- 1,189-sq. ft. landscaped public open space at Vernon Boulevard, Broadway, and 11th Street
- Seating and access to the above grade commercial and community facility space in Building C

Open Space - Public Open Space at 10th Street and 33rd Road



- 16,547-sq. ft. public open space area designed by landscape architecture firm Starr Whitehouse
- Cellar level across from Noguchi Garden is recessed to allow deeper subsurface planting beds
- Deeper planting beds facilitate planting of taller trees, incl. evergreen trees for year-round screening
- Features a raised stage/platform, seating, movable tables/chairs for passive recreation and flexibility for activities and event programming

Project Overview



- Activates underutilized, non-conforming site located at the intersection of three wide streets (Vernon Blvd., 11th Street and Broadway).
- Includes 92 permanently income-restricted units pursuant to the MIH Program.
- New locally-oriented commercial space to serve area residents and visitors to surrounding cultural institutions and parks.
- Transit oriented site with immediate access to Q103 & Q104 buses and connections to Broadway N/W and 21st Street-Queensbridge F subway stations and Astoria Ferry stop. Citibike stations provide further options for connection to mass transit.
- Significant new publically-accessible 16,545-sq. ft. landscaped open space resource at 10th Street and 33rd Road and 1,189 sq. ft. landscaped open space at northern edge of site.

Queens Community Board 1
Full Board, May 23, 2019
BSA Cal. No. 2019-48-BZ

31-45 41st Street

Applicant Representative: Sheldon Lobel, P.C.



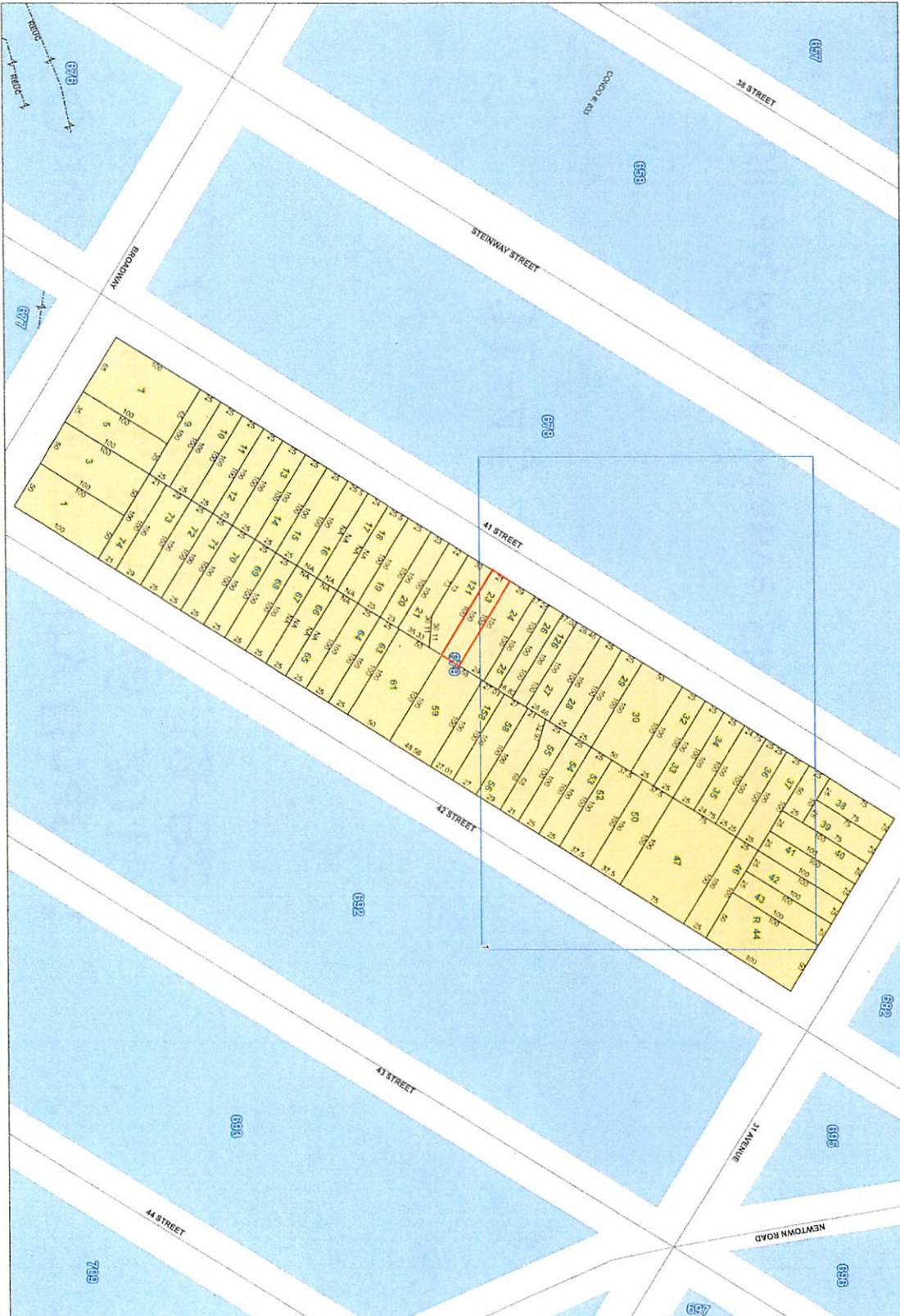


NYC Digital Tax Map

Effective Date: 01-31-2013 15:48:28
End Date: Current
Queens Block: 679



- Legend**
- Streets
 - Maschke's Test
 - 1 Possession Hooks
 - Boundary Lines
 - 1 Lot Face Possession Hooks
 - Regular
 - Underwriter
 - Tax Lot Polygon
 - Condo Number
 - Tax Block Polygon

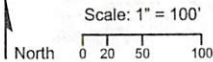


Site Information

Block 679, Lot 23
Zoning Map: 9b
Zoning District: R5
Special District: n/a

Lot and Building Information

- Ⓢ - Lot Numbers (within radius)
- ### - Block Numbers
- I, II, III - Story Height
- MD - Multiple Dwelling
- D - Dwelling
- R - Retail
- G - Garage
- C - Commercial
- I - Industrial
- M - Manufacturing
- W - Warehouse
- A - Auto
- CF - Community Facility

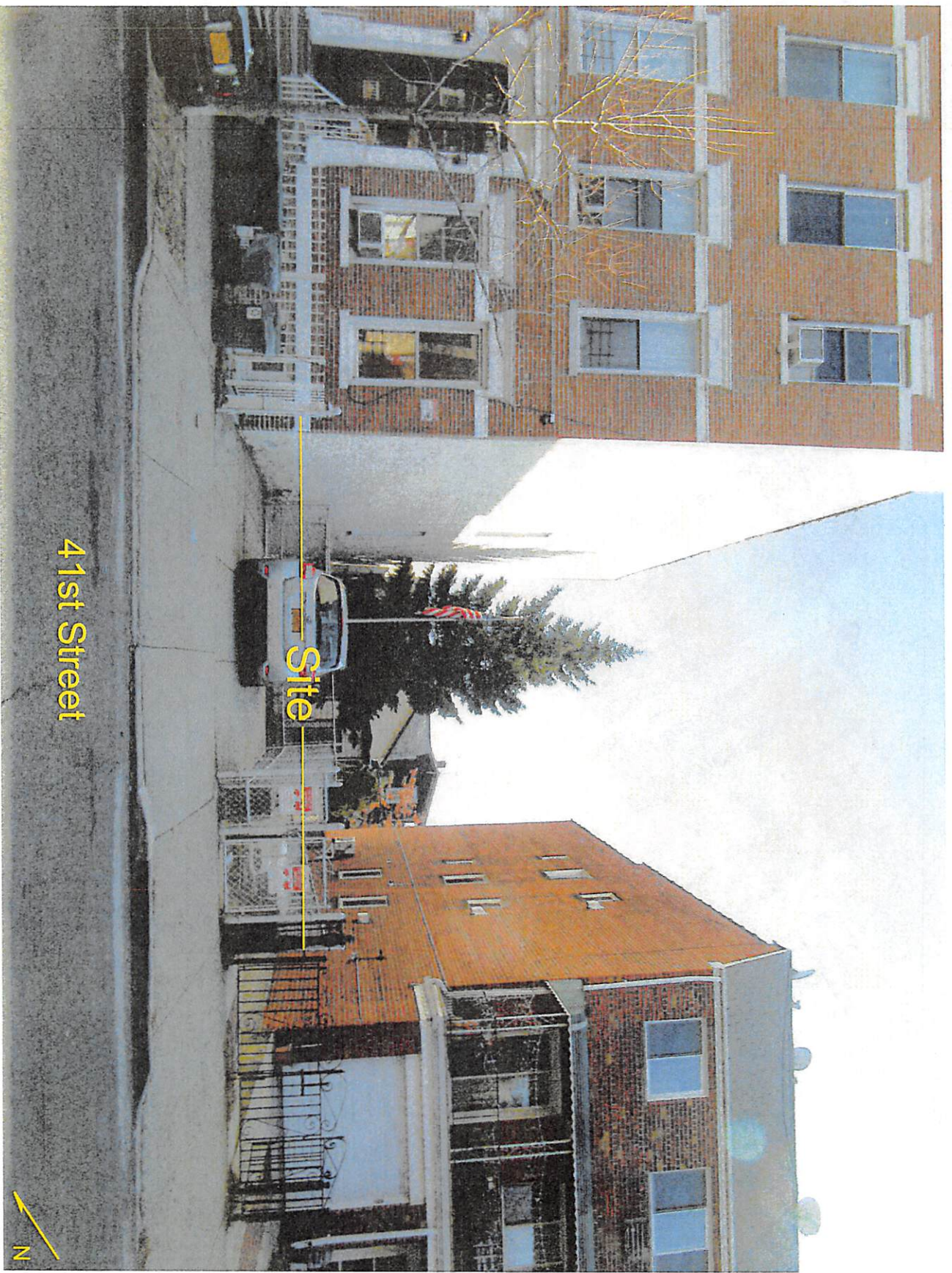


Zoning Districts and Commercial Overlays

- | | | | | |
|-----------------------------------|---------------------------|--|------|--|
| | C1-1 | | C2-1 | |
| | C1-2 | | C2-2 | |
| | C1-3 | | C2-3 | |
| | C1-4 | | C2-4 | |
| | C1-5 | | C2-5 | |
| | Zoning District Boundary | | | |
| | Special District Boundary | | | |
| R7A Zoning District Labels | | | | |

Land Uses

- One and Two-Family Homes
- Multiple Dwelling
- Commercial
- Mixed Use (Residential/Commercial)
- Manufacturing
- Open Space / Park Land
- Institutional / Community Facility
- Parking / Automotive
- Vacant



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FONTAN ARCHITECTURE PLLC
JORGE FONTAN AIA
 135 WEST 29TH ST, SUITE 400
 NEW YORK, NY 10001
 212 321 0194
 WWW.JORGEFONTAN.COM
 JORGE@JORGEFONTAN.COM

A100.00



41ST STREET 60'-0" WIDE

<h1>FONTANA</h1>	
<h2>ARCHITECTURE</h2>	
<p> FONTANA ARCHITECTURE PLLC JOHN FONTANA 100 WEST 400 NEW YORK, NY 10001 212.201.0194 JOHN@FONTANA.COM </p>	
<p> PROJECT NAME WONG RESIDENCE </p>	<p> PROJECT ADDRESS 31-45 41st St Queens, NY 11103 </p>
<p> PROPERTY OWNER Michael & Ellen Wong </p>	
<h3>Zoning Analysis</h3>	
<p> DATE 05/22/2019 Project number 2019014 Drawn by Y.K. Checked by J.E. FORWARDED TO: </p>	<p> Zoning Code Z001.00 Z 001.00 </p>

FONTAN

ARCHITECTURE

FONTAN ARCHITECTURE PLLC
 100 WEST 29TH ST, SUITE 400
 NEW YORK, NY 10001
 212.321.0104
 WWW.FONTANARCHITECT.COM
 JORGE@JORGEFONTAN.COM

PROJECT NAME
WONG RESIDENCE

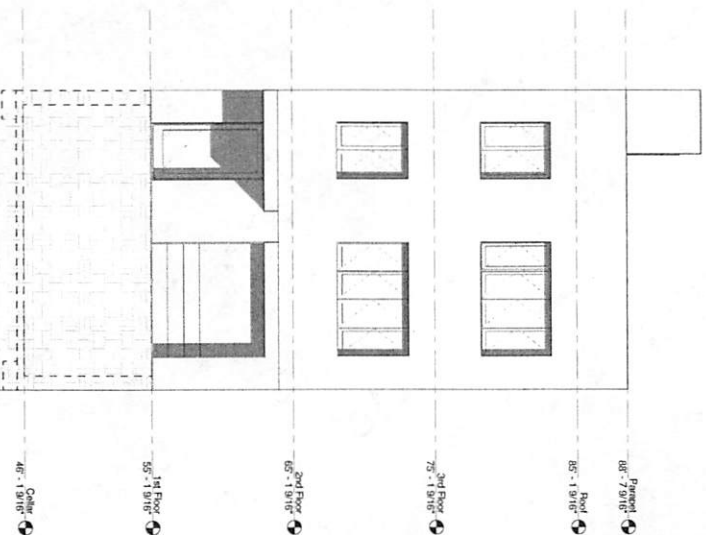
PROJECT ADDRESS
 31-45 41st St
 Queens, NY 11103

PROPERTY OWNER
 Michael & Eileen Wong

Elevations

DATE: 05-25-2018
 PROJECT NUMBER: 2018014
 DRAWN BY: JF
 CHECKED BY: JF
 DRAWING NUMBER: A104.00

① North
 1'-4" = 1'-0"



② South
 1'-4" = 1'-0"

