



Community Board 7

Borough of Queens

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

133-32 41st ROAD · 3rd FLOOR · FLUSHING, NY 11355

(718) 359-2800

Fax: (718) 463-3891

email: qn07@cb.nyc.gov

Melinda Katz

Queens Borough President

Eugene T. Kelty Jr.

Chairperson

Marilyn McAndrews

District Manager

COMMUNITY BOARD #7 PUBLIC HEARING & REGULAR MEETING

MONDAY, FEBRUARY 12TH, 2018

UNION PLAZA CARE CENTER

33-23 UNION STREET

FLUSHING, NEW YORK

PRESENT

Charles Apelian

Tyler Cassell

James Cervino

Michael Cheng

Chin-Hsiang Chiang

John Choe

Kim Cody

Nicholas Corrado

Richard Forman

Fred Fu

Pablo Hernandez

Lawrence Hughes

Eugene Kelty

Phil Konigsberg

Esther Lee

Li Mei Li

Frank Macchio

Rev. McEachern

Barbara McHugh

Selma Moses

Kim Ohanian

Millicent O'Meally

Kris Ram

Belal Salim

Warren Schreiber

Kevin Scheilds

Matthew Silverstein

Peter Sutich

Joseph Sweeney

Alison Tan

John Tsavalos

Peter Tu

Harpreet Wahan Singh

Clarissa Wong

Linna Yu

Lei Zhao

Jie Zhu

ABSENT

John Byas

Peter Kwiath

Carlos Talisaysay

Arlene Fleishman

Terence Park

Vincent Gianelli

Marc Schiffman

Jeff Huang

Joshua Sussman

COMMUNITY BOARD #7 STAFF

Marilyn McAndrews, District Manager

Mary Zuliani, Community Assistant

Mary O'Neill, Community Assistant

Sherine Perez, Community Service Aid

GUESTS

Lynn Koester – Assemblyman Daniel Rosenthal's office

Jason Antonopoulos - Assemblyman Edward Braunstein's office

Joyce Choi – Councilman Peter Koo's office

Eric Mayer – Assemblyman Ron Kim's office

Cristian Romero – Congresswoman Meng's office

Justin J. Connor – Congressman Thomas Suozzi's office

Vito Tautonico – Councilman Paul Vallone's office

Chair Eugene Kelty opened the meeting with the Pledge of Allegiance to the Flag followed by a moment of silent prayer for our military forces around the world fighting for our freedom.

Roll call attendance was taken with **(37) Present (5) Absent (4) Excused**

ITEM #1 - Chair Kelty read the announcements for the month with job openings at city agencies, EPA, MTA, airport opportunities and an accountant in College Point. The Lunar New Year Parade is scheduled for Saturday, 2/17/18 to begin at the 109 Precinct at 11 am promptly. Board members are welcome to join. Poppenhusen Institute events are as follows: Sunday 2/18/18 the Underground Railroad Event presentation by James Driscoll of the Queens Historical Society and sponsored by Poppenhusen will be held at the First Reform Church on 119th Street; Tuesday 2/20/18 at 10 am a bus trip to the Louis Armstrong Museum, cost \$20 per person; and on Saturday 2/24/18 at 5 pm an Irish Musical step dance performance at the Cozy Irish Candle Light Cafe. A reminder by the FDNY to change your smoke and CO batteries at the same time you move your clocks forward on March 11th. Also, make sure you have a fire escape plan for all members of your family. Chair Kelty reminded everyone the importance of keeping the office abreast of any address, telephone number, or e-mail changes by board members. To facilitate this request, contact sheets were handed out to members this evening to check current information on file. However, a phone call on any future changes would be appreciated.

The November 13, 2017 minutes were approved with one correction noted; i.e., the reference to “male saloons” was edited to read nail salons!

ITEM #2 – Anthony Traverro, Parks Dept., Manager of Al Oeter Recreation Center – The Al Oeter Recreation Center on Fowler Avenue in Flushing will be having a FREE craft event for kids on Valentine Day, 2/14/18. Also, they are holding an open house this entire week at all NYC rec centers.

ITEM #3 – Susan Lacerte & Pauline Huang, Board Chair, Queens Botanical Garden –Susan Lacerte spoke of the Backyard Gardens, which is adjacent to the Cherry Circle near the main entrance and in need of much improvement, and their plan to redesign it. The Queens Botanical Garden originated from the 1939 World’s Fair and was relocated in 1960 off Flushing Meadows to accommodate the 1964 World’s Fair. They would like to reimagine the garden in the vision of the 1939 World’s Fair Gardens on Parade as well as celebrate the different cultures in Flushing today with the introduction of a new Taiwan Garden. Visual photos of the new plants they plan to include will be Franklinia, Stewartia, Persimmons, Bamboo, Red Pine, Plum, Fireworks Goldenrod, Ansonia, the Autumn Aster and Witch Hazel. New materials in the garden will include World’s Fair benches, a Pavilion designed by Taiwanese Artist EHer-Ping Tsai, faux bois benches, decomposed granite paths, steel edging and bluestone flooring. We look forward to the opening of the Backyard Gardens in the future with great anticipation.

ITEM #4 – Treasury I.G for Tax Administration – Special Agent Matthew McWhirr alerted us to the IRS impersonation scam, involving contacts from other nations, and postal box mail theft that continues to be a problem in our communities. It is important for everyone to remember **no government agency will ever call you by telephone threatening you with arrest!** In the event of a legitimate problem, only an official written notice would be sent you from the government. Do not under any circumstances send money to anyone calling you in this manner or disclose any of your personal information. You can report any suspicious IRS or mail activity to Special Agent McWhirr office at 212-408-5650. Comments & Questions: - Congresswoman Grace Meng is also currently working on improving mailbox security.

Q. Where are the phone numbers coming from?

A. Random selection geographically.

Q. What are the demographics of actual victims?

A. Everyone from 17 years old to seniors.

Q. You mentioned arrests have been made! Do you coordinate with international law enforcement agencies?

A. Yes, we do, but we could be better. The State Department has to get involved!

Q. What is your arrest ratio?

A. Fifty arrests this year with half of those identified. Prosecutions are ongoing.

Q. When do mailbox thefts happen? After 5 p.m.?

A. Yes, at night usually.

ITEM #5 - One-Way Proposals – 17th Ave. from Clintonville St. to Francis Lewis Blvd.; 17th Rd. from 157th St. to Clintonville Street; 157th St. from 16th Rd. to 17th Rd.; and 154th St. from Clintonville St. onto 17th Ave.

Committee Chair Nicholas Corrado reported on his committee meeting of January 18th and gave some background information as follows: The DOT wants to do more than the area listed above, but the proposal before the board is limited to the above defined areas. Drop-off parking of children at the school located in the area is one of the problems since parents' double park and illegally use residents' driveways to park. Also trucks have been using the above areas to bypass local truck routes. The DOT was asked by Councilman Vallone and residents to conduct a one-way study because of school safety, double parking, the narrow roadways, mid-block U-turns and truck mis-use. CB #7 sent a letter to 149 residents in the area describing the DOT proposal and received (21) approval responses and (4) who disapproved.

Q. Are all the streets in question two-way streets?

A. Yes!

Q. What were the reasons people disapproved the change?

A. The survey asked for only Yes or No responses.

Q. Please clarify if 17th Avenue will be one-way all the way to Clintonville St.?

A. Correct! This will mean people now can't use the 154th St. Slip onto 17th Avenue to bypass the red Light at 17th Ave. and Clintonville St.

- Q. Why was 157th St. made one-way between 17th Ave. and Francis Lewis Blvd?
- A. The DOT determined this was the best course of action.
- Q. If you're going northbound on Francis Lewis Blvd, what happens to the left turn at 17th Ave. which will now make it harder for people to U-turn to get to 17th Road?
- A. This turn is prohibited now, even for U-turns.
- Q. How many residents actually showed up at the committee meeting?
- A. Three residents and no one from the school.
- Q. Can you clarify about the Slip?
- A. Let me read you the committee recommendation! "Based on the info from the DOT survey, the Committee voted unanimously in favor of the proposal with the exception of closing the 154th St. Slip."

The motion on the floor is approve the DOT proposal with the exception of closing the 154th St. Slip and seconded.

Discussion followed: - Some members feel the study does not take into consideration the one- ways will pose problems to residents in the surrounding area trying to access to or from their homes to the new main one-way thoroughfares. Current usage of short-cuts to avoid red lights, permissible u-turns and shorter distances to leave the area will be impossible with the new changes. Also, based on past experiences, many members believe one- way schemes around schools don't accomplish what they are intended to do, and instead cause more problems for the local residents.

The vote taken was (35) FOR (2) AGAINST

ITEM #6 – 165-01 Northern Boulevard – Enterprise Rent-a-Car – CAL. 217-96-BZ – Committee Chair Rev. R. McEachern discussed the application to extend the term of variance to permit continued use of an existing car rental facility which expired on October 7, 2017. The site is located within a strip of other stores on the north side of Northern Blvd and 165th Street and in close proximity to auto dealerships. The committee which met on January 28, 2018 asked Enterprise about their operation and their relationship with the auto body shops nearby who rent cars from them and then park them on the street. Enterprise said they will ask their partnering auto body shops to refrain from this practice.

- Q. What renewable term are they asking for?
- A. Ten years!
- Q. Has BSA changed notification procedures when variances expire?
- A. Notification of expired variances are not sent.
- Q. What are the hours of operation?
- A. 7:30 am to 6 pm weekdays and 9 am to 1 pm on weekends.

Community speaker Henry Euler, First Vice President of Auburndale Improvement Association said he's unsure if it's a persistent problem, but parking on the sidewalk is a concern for their association. Also the retaining wall at the rear of the site should be inspected. The attorney, Eric Palatnik, representing Enterprise added the employees have been told to avoid parking on the sidewalk. The repair of the rear wall is the responsibility of the residential property owner. Board Member **John Choe** asked for a written commitment from Enterprise stating cars will no longer be parked on the sidewalk, and Enterprise readily agreed. With this, the committee recommendation is to approve the variance with Joseph Sweeney's amendments to a) install exterior motion-sensor based lighting during late night hours and b) overflow parking should not be allowed in residential areas.

The motion was made to extends the term of variance for another ten years with the addition of the two amendments listed above, seconded by Selma Moses.. The vote taken was unanimously approved with one abstention due to conflict.

ITEM #7 – 133-66/68 40TH Road & 40-46 College Point Blvd –Application for a variance pursuant to ZR-72-21 to modify side yard, height/setback, and accessory off-street parking requirements. The variance would facilitate the development of a 9-story community facility building with 59,232 sq. ft. of floor area for use as a healthcare center by Charles B. Wang Community Health Center. Committee Chair **Chuck Apelian** gave the floor to **Ethan Goodman** of Fox Rothchild, representing the applicant. Charles B. Wang Health Center is a nonprofit healthcare provider that serves approximately 50,000 low-income and/or uninsured New Yorkers. The primary demographic is Asian and Asian Americans. Their current location in Flushing on 37th Avenue has outgrown its capacity. The search for a new site has taken them the last 6 or 7 year. With this chosen property, they will require variances for three (3) components. Because of a required 60 feet setback, they are seeking an additional height of 23 feet. Also, parking requirements would mean 200 spaces, but based on current activity studies, the owner doesn't believe this many parking spaces will be needed. Based on the shape of the lot, an underground parking facility of this size would be impractical. Free spaces are available at the adjacent Skyview property, but a formal zoning agreement cannot be arranged since they are already at their required minimum. However this would be permissible.

Q. Are you looking for 83% relief on parking requirements?

A. Yes!

Q. Are you encroaching on the LIRR ROW?

A. No! The side yard (really the backyard) five foot width is within the fire code.

Q. If this business is serving people who can't pay for medical care, who's paying?

A. This is a non-profit with the funding coming from private, city, state and federal sources. The health center doesn't have the option to build on prime real estate due to financial constraints.

Q. Does this compete with walk-in clinics?

A. No, it provides certain outpatient treatments that these don't. The fact that this center takes uninsured patients, even if they can't pay, distinguishes it from other for-profit providers.

- Q. It's somewhat conflicted here about the mission driven nature of this, but the strain on the existing Infrastructure is a problem. What givebacks are you providing the community?
- A. When we planned this facility, we did an extensive survey of traffic patterns for patients. It was found, due to the low-income demographic, the vast majority do not drive to the center. The giveback is primarily via servicing the uninsured in the community. This relieves the burden on other healthcare providers like local ERs. They can't pay anyway, so we all end up absorbing the cost.
- Q. Why is this property dog-legged?
- A. This was the lot that fit the criteria needed for FAR, the base square footage had to be 12,500 or greater for us to get the overall square footage we wanted. There's also a liquor store adjacent.
- Q. At the committee meeting, you indicated the parking spaces on-site were going to be for staff. Are you providing parking for the handicapped?
- A. Yes!
- Q. Did we get the traffic study?
- A. Yes!
- Q. Why did you buy this property if you knew you couldn't comply with the zoning regulations? This sets a bad example.
- A. BSA states that merely buying a site with extraordinary conditions in itself does not disqualify you from applying for variances. It took 7 years to find this property. Counsel advised this property was the best possible choice.
- Q. While there could be parking spaces in Skyview now, you could run into problems in the future. What then?
- A. We also sent in traffic consultants to Skyview who reported there were plenty of spaces available, and even if 250 of the residents had additional cars there still would be enough parking spaces.
Comment by a board member: The reality is people will need on-site parking since the area is already over congested. This addition to the area would make it worse.
- Q. Are there pediatric services?
- A. Yes
- Q. You mentioned your 37th Avenue facility is busting at the seams. How long did it take this facility to hit capacity?
- A. I don't know off-hand, but its 21 years old. This facility opened piecemeal one floor at a time as more patients came.
- Q. Won't this new building be a disservice to your clients because of the variances requested?
- A. Please don't just think about the variances.
- Q. How many staff will be on-site and how many of these are doctors?
- A. 268 staff in total. The surveys at 37th Avenue included both staff and patients.
- Q. What is the percentage of patients will you be serving from CB#7?
- A. 50 to 75%!
- Q. Did you consider the consequences before you purchased the property?
- A. The center was aware they would have to go through this process.

- Q. You stated the 40,000 people you serve do not have insurance?
- A. The majority do have some insurance. You can't walk into most hospitals and get free services. Charity funds are not always available. In fact, NY Presbyterian Hospital of Queens and Flushing Hospital actually refer uninsured patients to us after urgent treatment.
- Member **Alison Tan** vouches for the quality of Charles B. Wang's pediatric care. Also 40th Road is a dead end so there's no heavy traffic there except for vehicles/trucks coming in/out of commercial property to load or unload.
- Q. They're building a large hotel on 40th Road. Do you know how much parking they're providing?
- A. It's an as-of-right building, and you can't just take parking from other people.
- Q. If you move into the new property, are you going to consolidate existing sites?
- A. No! This is an expansion, and will give the 37th Ave. facility some relief.
- Q. What happens to this facility if funding runs out for your organization?
- A. This building is not funded by operating revenue. It's our board of directors' responsibility to raise funds.
- Q. Could this building be converted to another use later?
- A. No, it'd have to be an ambulatory/community. The lot as zoned would allow a mix of commercial and community uses. However if a variance is granted, this would lock in the usage.
- Q. You said the new building would have a staff of 268. How many currently work at 37th Street?
- A. It's fairly safe to assume the 40% increase in overall size of the new property would apply also to the Staff.
- Q. How many patients at the current facility will be treated at the new facility?
- A. 25,000! Also the new facility will not be open 24 hours. It's not displacing care from other providers. It's about increasing overall capacity for care!
- Q. What is Charles B. Wang's relation to this project?
- A. He is a wealthy benefactor to the organization.
- Q. I thought Obamacare was to provide insurance or pay a penalty, so why are there still uninsured people?
- A. Premiums and deductibles are high. Some people will opt out and take the penalty.
- Q. Why not get the right property big enough for this facility?
- A. It's not like we didn't try. We were outbid constantly.
- Q. Is this going to be a union project?
- A. No! It's an open job.
- Q. Will there be bicycle parking?
- A. Yes. There is some requirement for indoor bike parking.
- Q. Will there be access to the property from College Pt. Blvd.?
- A. No, only from 40th Rd.
- Q. What is the annual operating budget projection for this facility?
- A. Approximately \$25 million.
- Q. What about annual fundraising?

- A. \$2 million! For this project, a capital campaign of \$65 million.
- Q. How much of this is public funding?
- A. \$6 million from NYC, Build NYC Bond offering for \$25 million, new market tax credits, etc. from NYS and the Federal government.
- Q. There are two addresses listed, but only one building?
- A. Two lots that will be merged.
- Q. Can you expand on the current services provided and how this building will impact this?
- A. We don't provide dental services in Flushing yet, which is something we want to add. This is because we don't have enough space as of now.
- Q. Will you have the same doctor if you go repeatedly?
- A. Yes, if you make appointments.
- Q. Hours of operation?
- A. Seven days a week, 9 am to 6 pm and weekends from 8:30 am to 6:30 pm.

The committee listed the following considerations and recommendations:

- a) Both the Mayor's Office and Queens Borough President made an announcement about this Building prior to BSA approval.
- b) QBP Melinda Katz realized the project needed conditional approval and withdrew funding until after BSA approval.
- c) Our committee was not pleased with this situation.
- d) Parking on-site will not accommodate enough people.
- e) There is no street side parking at this site.
- f) No effort made to formalize excess parking capacity at Skyview.
- g) There is no safe egress on rear side of building abutting the LIRR ROW,
- h) No loading area is provided.

CB#7 has a history working exhaustively with healthcare providers to improve the neighborhood. We've approved every waiver application from healthcare providers. However, we have a duty to the Community to consider all the consequences of a development. You can't just take other people's parking when you can't build your own. The committee voted to reject this application **13 to 1**.

The motion now before the board is to REJECT the application for variances and seconded by Millicent O'Meally

Discussion: - **Chair Kelty** said although the applicant is telling us most people won't be driving to this facility, we know the buses and subways are already strained. However, he is upset over the parking situation and concerned about the funding stream. They never came to our board during the planning process. This situation puts the board in a very tough situation. He, therefore, cannot support this Proposal for these reasons and will vote to support the motion. Board member **Peter Sutich** stated although this center has been a great benefit to the community, he also agrees the concerns here are serious and will defer to the board and vote to reject the application. Vice Chair **Chuck Apelian** voiced a similar situation with group homes and religious institutions whose intent we support. The only

difference is this is about land use implications. The NYHQ expansion is an example of when it finally all goes well, despite the difficulty of navigating the process. Board member, **Alison Tan** said the major contention is parking, but the majority of the center's clients are living in the community, as she is, and can walk to the center. She will not support the motion. Board member **Tyler Cassell** said he was the dissenting vote on the committee. Although I have often advocated for parking as a requirement, I don't see a problem with the side yard, setbacks, or the parking. Given the space constraints of this building, where could you fit parking. This building isn't for us, but that doesn't mean it's not needed, especially the uninsured who don't have cars anyway. I too will not support this motion. Board member **Pablo Hernandez** adds that we don't contest the value of the center to the community, but they are rolling over it. We need to respect this system, so I will approve the motion. Board member **John Choe** has a lot of problems with the BSA process. Voting against this health center will send the wrong message that we're out of touch with the community. He noted we just passed a variance for a car rental facility, but this population doesn't drive. There is great irony in this. He will not support this motion. Board member **Jim Cervino** said he understands why the center should exist, but feels it will have negative impacts on the surrounding area in terms of traffic congestions. There is a need for affordable healthcare, but why here. Board member **Michael Cheng** feels a large number of our members have made up their minds on this. He asks we consider the center is for the least fortunate. To deny the variances will increase development costs for the center and directly take from patients. Those who can afford to drive will just pay to park at Skyview. Board member **Linna Yu**, being on the committee, agrees with all the concerns presented. We looked for a compromise but it didn't happen. A friend of hers visited her doctor today who referred to the Wang Health Center, so they must be doing a good job. Board member **Joe Sweeney** agreed 100% to the need for centers like this, but the practice of seeking available parking that's not on your property sets a bad precedent. What if Skyviews turns around and restricts parking? He feels the stakeholders did an end-run around the process and our board. Board member Warren Schreiber said there is a huge population surrounding this facility. We all try to seek Healthcare within our neighborhoods. I believe the primary clientele here probably will not be using cars. We should consider this. Board Member, **Matt Silverstein** thinks the services they're proposing are important and needed and that most patients won't drive. However, since their center has been in service around 40 years, we could make the argument this building isn't needed right now. Developers never want to give and take. But if they've been round this long, I think they can come back and negotiate. **Peter Sutich** stated if the whole area is No Standing, isn't that beneficial towards not having enough parking? What's the fear here? Board member **Lei Zhao** added ultimately we have to consider this proposal not in isolation, and consider the precedent as Joe point out. We clearly care about this proposal, but have to look at the big picture and how it relates to the community. **Tyler Cassell** added he's chaired a lot of these committee meetings with other buildings like this. The question I always ask is, why didn't you look at different parcels of land? It's because there's not enough land available. We can object on the five findings for the BSA. Character of a neighborhood is difficult to argue. You can question minimum relief, but you'll lose on that too. **Peter Sutich** said to come back with a compromise plan. We will support you. **Chuck Apelian** ended with religious

institutions enhance the character of the neighborhood. There is a process here, as Pablo pointed out, it's not about not liking a healthcare facility or low income residents.

The vote taken on the motion was (22) FOR (13) AGAINST

P U B L I C P A R T I C I P A T I O N

Speaker **David Sands**, member of CB5, on the Willets Point Project said he heard on the news that there's something in motion. He's part of Local 3 and a union member in Building trades, and he hopes This project will use union labor.

Speaker **Susie Tanenbaum**, Queens Borough President's office, had taken a leave of absence due to medical issues, but is okay now. We are so happy to see her return. After 15 years seeing her monthly She is passing the torch down to Elizabeth Bian who already has been to our meetings the last few months. She'll continue coming to these meetings, but as an observer. She's currently at CUNY Graduate Center and will be doing her dissertation on multiculturalism and would love to talk to some of us for her research.

Speaker **Sharon Pope**, from Bike NY, said we probably know of her from the 5 Boro Bike Tour, but they also have year-round programming after school with equipment and certified instructors. They can come out to any of our community events and do bike safety giveaways and outreach, and Learn to Ride classes for kids free! If you want to organize a cheer squad for the 5 Boro Bike Tour, she has information on it as well. Speaker Brian Gallaher, a member of Local 3, speaking on behalf of thousands of striking workers at Spectrum Cable. They are presenting the City a plan for better regulation on cable providers as well as a public cable option owned by the people. He urges us not to renew Spectrum's franchise and to cancel your Spectrum service.

The meeting closed at 10:45,
Respectfully submitted,
MARY ZULIANI