

COMMUNITY BOARD #7 PUBLIC HEARING & REGULAR MEETING  
MONDAY, MARCH 23, 2015  
UNION PLAZA CARE CENTER  
33-23 UNION STREET  
FLUSHING, NEW YORK

PRESENT-

Charles Apelian  
John Byas  
Tyler Cassell  
Chin-Hsiang Chiang  
Kim Cody  
Joseph Femenia  
Arlene Fleishman  
Pablo Hernandez  
Jeff Huang  
Eugene Kelty  
Donald Kirchofer  
Phil Konigsberg

Peter Kwiath  
Frank Macchio  
Rev. R. McEachern  
Barbara McHugh  
Selma Moses  
Kim Ohanian  
Millicent O'Meally  
Terence Park  
Vana Partridge  
Jean Ren  
Andrew Rocco  
Marc Schiffman

Warren Schreiber  
Matthew Silverstein  
Peter Sutich  
Joseph Sweeney  
Carlos Talisaysay  
John Tsavalos  
Peter Tu  
Arnold Wagner  
Clarissa Wong  
Linna Yu  
Jie Zhu

EXCUSED

James Cervino – Was attending an important environmental meeting at City Hall for the Board

ABSENT

Timothy Chuang  
Nicholas Corrado  
Rose Forkan

Fred Fu  
Esther Lee  
Devon O'Connor

Kris Ram  
Kevin Shields  
Joshua Sussman

COMMUNITY BOARD #7 STAFF-

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

GUESTS

James Ward, State Senator Avella's office  
Allen Hsu, Councilman Koo's office  
Jeong-Ah Choi, Queens Borough President's office

GUESTS (continued)

Dion Song Yu, Flushing BID

Chairperson Eugene Kelty called the meeting to order at **7:10** P.M. with the Pledge of Allegiance followed by a moment of silence in honor of the men and women serving in the military abroad in harm's way, as well as our first responders on the home front who serve in the line of duty.

Roll call was taken with **(35)** present **(6)** excused and **(4)** absent. Chair Kelty followed with the announcements, one of which may interest everyone regarding NYPD shredding of personal documents at the College Point Shopping Center on Sunday, April 12, 2015 from 10 am to 1 pm, as well as accepting electronics for recycling since Dept. of Sanitation no longer picks them up. NYPD will also register your personal electronics. First Vice-Chair Apelian mentioned Lo Bosco on Farrington between 31<sup>st</sup> Road and 32<sup>nd</sup> Avenue also takes recyclables and shreds every day of the week at no charge. Chair Kelty continued with the announcements, which will be available after the meeting and tomorrow at our office.

**Item # 4 – 135-35 Northern Boulevard – Cal. #156-03-BZ – RKO Keith's Redevelopment**

**Chair Kelty** gave the floor to **First Vice-Chair Chuck Apelian and Chair** of the committee meeting on March 11, 2015 who summarized the new owner's proposition for a small increase to the building height to accommodate the mechanical systems within the building, all with FAA and Port Authority approval; the decrease of residential units from 357 based on a prior plan to 269; accessory parking spaces reduced from a high of 385 to 323; a redesign of the building façade; and a new unique parking system to include stackers and vertical carousels. The landmark lobby will remain and be restored fully with the approval of Landmark Preservation Commission. The floor was given to Attorney **Howard Goldman** of **GoldmanHarris LLC** who explained the new ownership has filed all of its building permits and is being actively reviewed by BSA, and feels confident they are close to starting construction. The changes are minor but still must pass through the Community Board for recommendation with final approval by the BSA on their Special Order Calendar (SOC). The building is being changed from a rental concept to condominium ownership with larger dwelling units and less parking spaces at a ratio of one to one, which the Board always wanted. The design change in the entry façade facing Main Street was approved by Landmarks. Mr. Goldman then turned the microphone over to **Ian Bader of Pei Cobb Freed & Partners**, the project's architect who gave a very informative slide show of every facet of the building. Mr. Bader remarked that the observation insights and advice offered by the land use committee enabled them to better understand and improve on the project's needs. They plan to raise the basement above the water table so that dewatering will not damage the landmark's foundation, and so as not to undermine the adjacent buildings' foundations. They will increase the podium height for structural transfers over landmark and parking as well as increase the residential floor to floor height for mechanical equipment above the ceilings. Also provide height above the current roof slab for roofing, Aviation obstacle lights and lightning rods. All this has been approved by the FAA. The two lobbies, front and inner, will be preserved with the dome above, an important part of the landmark preservation. You will enter the doors from Northern Blvd into the landmark lobby and then into the inner landmark foyer. They propose to build around and above the inner landmark foyer which will be flanked on either side by commercial retail space. On the next level there are additional commercial spaces and above that on the third level the community facility. Directly outside the landmark lobby to the left are elevators to the retail and community facility. Beyond the landmark foyer is the residential

lobby with elevators to their apartments. The overall height to the façade is 41 ft. high and set back about 7ft., followed by another 10 ft. height with a 21 ft. set back. The building will be a composite of three elements, i.e., granite, metallic finish aluminum paneling and glass, either placed horizontally or sloping on some setbacks. The structural challenge they face is the weakness of the soil which will require hundreds of pilings deep into the entire area. Recycling in the building will be by an automated sorting system. The wall construction and windows will reduce air-borne noise from airplanes from the nearby airport by at least 35 decibels (dBA) which will maintain an interior noise level of 45 dBA. The heating and cooling system will be 25% more energy efficient than regional averages with an energy recovery HVAC, high efficiency natural gas condensing boilers, high efficiency motors on all pumps and fans, and a building management system to monitor and control all equipment. The electrical system includes extensive use of LED lighting, occupancy sensors for back of house areas, carbon monoxide detectors to engage the garage exhaust fans as needed, solid state elevator power controllers and bathroom and kitchen exhausts activated on demand. Plumbing systems includes storm water detention system to reduce the load on the municipal sewer system, water-saving plumbing fixtures to reduce consumption, and water triplex booster pumps to match the demand load of the building. The building is designed to surpass the requirements of the NYC energy code. The energy performance is equivalent to Leed Certification.

**Committee Chair Apelian** asked Mr. Bader to give the floor to **Jerry Karlik**, the head of JK Equities and other principal owners of Flushing Square Realty, to speak on the Parking System. Mr. Karlik, who grew up in Flushing with a strong affinity to the neighborhood, the theatre and what happens to it, is looking forward to completing this project. The last piece of the puzzle and the biggest challenge remaining was the parking. He spent a lot of time studying different parking systems and found the Carousel system one of the best, and determined the Carousel together with Stackers and a valet system would be the ideal system for their site. The reason for the Stackers is because the rear of the parking lot has a height limitation which cannot fit the Carousel. He then introduced the owner of a Carousel system in Brooklyn on Tillary Street, Doug Serini, who showed a film of his system at work, which is presently used all over the world. The system can fit 12 regular cars or 10 SUV's and are 3 deep. The stackers are electric and 4 high and probably will take care of long term parkers. There are sufficient queuing spaces to enter and exit. All traffic would come in from Northern Blvd and exit onto Farrington Street. Trucks, with the exception of 18 wheelers, can easily be maneuvered by using a 40 ft. radius turntable to face the direction of the exit. If the generator was to fail, there is a manual override to retrieve your cars.

Q. What about the sewer system, etc. for the building?

A. The building will have the capacity to handle all gas, electricity and sewer requirements.

Q. How long will it take a tenant to get their car?

A. At most 2 ½ to 3 minutes. If it's on the top of the carousel, add 1 ½ minutes. They can call in advance.

Q. Vehicles are getting larger and larger. What's the largest the carousel can accommodate?

A. It can accommodate 99% of today's vehicles, including SUV's.

Q. How many entrances and exits will there be?

A. One in and one out, each 14 feet high.

Q. What will be the impact on Northern Blvd. traffic?

A. There should be no back-up of traffic on Northern Blvd.

Q. How will construction be handled at this location?

A. The building is designed in an "H" configuration. A crawler, hoist and boom will come onto the site

from Farrington Street.. The 240 ft. boom will capture the entire radius of the building and service it with equipment and materials with the one crane.

Q. What are the sizes and price ranges of the residential units as well as the sizes of the retail units?

A. The units will range from 600 sq.ft. to 1600 sq.ft, with a price range of approximately \$400,000 to \$2 million.

**First Vice Chair & Committee Chair Apelian** added that retail will be local and building service types of retail. No mega stores, but small shops such as restaurants, banks, dry cleaners, etc., all ancillary to the building.

**Mr. Karlik** added the neighborhood itself does not have national retail stores.

Q. Where will school buses pick up children, if there are any children anticipated?

A. There is no plan as yet.

**Vice Chair Apelian** pointed out there are two places that can be used. There is a 5 foot setback in front of the building or something can be arranged on Farrington Street.

A. Eventually we will be asked for a loading zone in front of the building for buses or taxicabs.

Q. How would you get up to your residence from the sidewalk and also from the garage?

A. You enter on Northern Blvd through the landmark lobby and the landmark foyer, into the security concierge where you will have to use a key pass to the residential lobby and a special fob key to the residential elevators. From the parking garage there is a service area to the elevators for the residents and their guests.

Q. Can you explain the reference to a senior center on the plans?

A. Original existing plan by the previous predecessor showed a space of 16,000 square feet reserved in 2005 by the Borough President.

Q. Are the piles resting on rock?

A. There is no rock. It's all sand all the way down.

Q. Who are the engineers on this project?

A. The same engineers from the World Trade Center.

Q. What about the soil contamination at the site?

A. There is no contamination. There were many different stories about it, and was of great concern to us, especially on the ground water. There was never industrial use on the site. We checked and found in 2002 there was a 106 gallon spill of #6 diesel fuel, but it was taken care of then and the site was designated an "E" site. We drilled holes and tested it and it still is an "E" today. We only have to monitor it during excavation

Q. Is passenger car retrieval on site only, or also from Farrington St?

A. Only from physically inside the building by the resident.

**Chair Kelty** asked how they plan to alert pedestrians that a vehicle was leaving the building?

A. There are several ways it can be done; i.e. by a flashing red light, sound and/or mirrors.

Q. Will you have affordable senior housing?

A. No, senior housing, just market rate condominiums.

Q. How many floors in the building?

A. Sixteen floors from the ground.

Q. Will your building be the tallest or are there taller buildings surrounding your site?

A. There are some 10 and 12 floor buildings in the area, but ours is still within the character of the neighborhood and will not change the skyline.

**Vice Chair Apelian** added the building has not changed in basic configuration in FAR. The only difference is a 15 ft. slight elevation height change because of the modification of floor to floor and for mechanical

facilities.

Q. Won't it stand out like a sore thumb?

A. It will stand out in character, but not like a sore thumb.

Q. Can you rent out?

A. That's up to their Board.

Q. Are there any restrictions.... like air right transfers?

A. There are no air right transfers, but regardless it's a 7.5 FAR, which is has been approved by BSA all along the way.

Q. Will the construction company be union or non-union?

A. We haven't decided on a construction company yet.

Q. Who will decide what management company will handle the condominiums?

A. Probably an association and its board members will make that decision.

Q. What will the building's impact be on the Fire Dept., Police, Ambulances, and Sanitation, etc.?

A. An environmental study was done and we've been cleared.

**Board member Millicent O'Meally** asked if the audience knows they can write their question and ask a board member to announce it for them?

**Vice Chair Apelian** reminded everyone this is a board discussion and not a public discussion. There is a sign-up sheet where the public can make a comment during public participation. However, if a board member is willing, they can ask it on your behalf.

**Board Member, Peter Tu**, asked for assurances that the new owner will follow through to completion on this building?

A. No other developer before us has come this far. We have building plans filed, financing in place and two months away from getting approvals from the DOB, and have kept the promises we made from the very beginning. **We are there** and ready to break ground when final approvals reach us!

**Committee Chair Apelian** asked Mr. Karlik for his past landmark work?

A. This is going to be our fourth historic landmark preservation building, with completed historic preservation projects in Baltimore, Jersey City, and Chicago. We are very cognizant and sensitive to historic landmark preservation.

Q. When you break ground, how long will it take to complete?

A. It will take between 30 to 36 months, with the first six months to demo the building.

**Third Vice Chair Warren Schreiber** asked if the 45dBA noise level is an industry standard, construction standard or an arbitrary number?

A. It's a City and State DEP level.

Speaker **Chesire Frazer** from the Committee to Save the RKO Keith's complained that two generations of the Queens political leadership turned their back on restoring the RKO Keith's Theatre, unlike Brooklyn's King Theatre which was restored to its original grandeur. In 1986 the Landmark's Preservation Commission was eager to designate the whole interior of the Keith's provided the Borough President approved it. After almost 30 years and four owners, we hope to see the restoration of the ticket lobby and grand foyers which remain a national landmark treasure.

**Committee Chair Apelian's** comment on the opening of the King's Theatre a month ago was simply that it happened when the City took it over with EDC.

Speaker **Christian Kellberg** of Sterling, Va. feels there are several risks with the height of the proposed RKO Keith's, which will be the tallest building on the flight path. In 2003 the FAA & PA objected to the

building height of 195 ft. and now today it's acceptable up to 210 ft. with a determination of no hazard. However, what hasn't changed are the terminal instrument handling procedures that tells you the landing percent angle, which is between 3.1 to 2.75. The height of the RKO is very close to the percent angle, leaving an approach space of 85 ft. between the plane and the building, not to mention the noise level of a 200 ft. aircraft. Unknown to anyone, in 2004 on a very foggy day a Boeing 727 coming in for a landing on runway 13 momentarily mistook the aviation lights on top of the Sheraton for the runway lights and luckily made the correction and avoided a catastrophe. His concern is that there is a risk here that hasn't been addressed. **First Vice Chair Apelian** made note that he will address it with the FAA.

Speaker **Michael Donnelly**, representative of NYC District Council of Carpenters, stated the Council is in opposition to the JK Equities proposal for the RKO Keith's project. He advised the developers made no commitment to insure quality construction jobs that would provide middle class incomes and certified apprenticeship training on the project to construction workers from the community. The original project was initially intended to be a rental building, but was changed and approved to condominiums, geared for wealthy individuals. The project appeared eligible to receive a substantial a 421-A tax abatement "as of right" without the obligation to build affordable housing, and would further contribute to the gentrification of the neighborhood. We ask the Borough President to recommend the BSA to reject the variance from the project. This project is coming through ED-5 who has several projects in our neighborhood, all in the hands of the wrong people and which are at a standstill for years and may never be completed.

Speaker, **Sunny Hahn**, a retired human rights specialist voiced her disapproval of saturating the neighborhood with only condos and restaurants. She strongly feels we need more development, but for cultural venues, such as theatre, opera, music and art. Life is not just eating and sleeping.

Speaker, **Lucy Kung**, Manager of the Sheng Rainbow Condo Board, spoke about the lack of Performing Arts in the Borough of Queens. We need and want the opportunity to develop activities here, especially for those who cannot make the trip to Manhattan to enjoy the Arts that are in abundance there. We are missing the opportunity here to make a start for Queens.

**First Vice Chair & Committee Chair Apelian** gave his report on the two committee meetings of February 24<sup>th</sup> and March 16<sup>th</sup> on the revised variance application to develop the RKO Keiths site. The revision included four items as follows: **1)** to increase the building height by 15<sup>th</sup> ft. to accommodate the mechanical systems, raise the floor height of the building, and the podium height to insure below grade parking remains above the water level. **2)** reduce the number of residential units from the 2011 application by 88 units to 269. **3)** Reduce accessory parking spaces from 2011 application to 323. **4)** The redesign of the building façade.

It has been the Boards position always to respect the FAA requirements, but also the Port Authority requirements because they run the airport. The FAA's 8- site report determined there was no hazard to air navigation with the proposed 210 feet above mean sea Level which equates to 190 feet above ground level. The Port Authority agreed with the FAA's determination. Both reports are on file for anyone to view. Committee Chair Apelian took a moment to mention that the Board has been passionate since 2003 about having a theatre in downtown Flushing and still is, but thus far no developer has ever come forward, and it's not because we didn't ask. As far as the RKO Keith's, no one came with a check to restore it to its original grandeur as a theatre. He continued stating the reduction of residential units was more suitable for the FAR and more proportional to the parking spaces, i.e., one for each unit plus parking space for commercial use. The cutting edge technology of a parking carousel will have the distinction of being the first indoor carousel in a Queens residential building along with

stackers and valet parking. There was a detailed discussion on the queuing of vehicles entering and potential backup of multiple delivery vehicles, on site recycling and refuse collection. The new façade, building elevation and building rendering were presented with explanation of material, colors and ecological benefits. Discussion continued on the landmark restoration which has already begun. The developer indicated it will be a smoke free building. A motion was made by Warren Schreiber and seconded by Linna Yu to approve this variance application with the condition that the parking and delivery vehicles must remain on site and handled by the parking and building management so as not to queue or recirculate around the surrounding streets. The vote was unanimous **12 to 0**.

**THE MOTION ON THE FLOOR IS TO APPROVE THE APPLICATION WITH THE CONDITION THAT THE BUILDING MANAGEMENT & PARKING OPERATORS BE RESPONSIBLE FOR ALL EQUIPMENT, PARKING & DELIVERY VEHICLES TO REMAIN ON SITE WITH NO QUEUING, RECIRCULATING OR PARKING ON THE SURROUNDING STREETS, SECONDED BY MARC SCHIFFMAN.**

Discussion and comments followed:

**Tyler Cassell** is really pleased that restoration is going forward and the presentation of 3 dimensional slides made it easier to follow. The setbacks make the building more architecturally pleasing, instead of a flat front building. He liked it a lot and will vote for it.

**Vice Chair Apelian** added Pei Cobb Freed have a terrific team and are world class, and reaffirms that the developers are serious and will follow it through.

**Pablo Hernandez** is very happy thus far with this developer and his choice of one of the 10 best architects in the world, and they will have his vote.

**Phil Konigsberg** is really pleased it's one for one and it is within one mile of transit.

**Joseph Sweeney** said in all his years on the board, this is one of the best proposals he's ever seen.

**Joe Femenia** agrees that it is exceptional.

**Peter Sutich** said he frequented the RKO in the 70's and wished it could have stayed the way it used to be, but it was owned privately, and not by the City, and private owners let it go downhill. Having a theatre requires sufficient private money backing, and obviously they ran out.

Q. **Andrew Rocco** asked if you are considering a contractor and subcontractors that hire local union workers?

A. We are considering a local contractor out of Astoria, as we speak, and local subs from different trades. We will not limit ourselves, however, and plan to get the best contractor for this job, not the cheapest. Ultimately we will build a quality product with the most reliable and effective people, whether from Queens, Staten Island, Brooklyn etc. At any given time we will have 600 to 700 men at the site, and will be a boost to the community.

**THE VOTE TAKEN WAS UNANIMOUS (35) FOR (0) AGAINST (0) ABSTAINED**

Committee Chair Apelian said a discussion at the last committee meeting ensued about the large size of the senior center with a recommendation that the committee add a codicil to the application. Back in 2003-2005 it was recommended the application include a Community facility in the plans for a senior citizen center, because there was a specific need then and was included into the RKO parcel. In reaching out today to the Chief Staff of the Senate and the Council, we would like to recommend not to restrict

the community facility as a senior citizen center and make the first step to change it to community facility use in general. We don't want to limit the success of this building by having 16,000 square feet of empty space. The success of this building today as a residential building is to minimize the impact of people, using it as a destination, other than residents, and creating a bottleneck of traffic to access Main and Northern/downtown Flushing, unlike the previous application which included a larger FAR, more units, no parking, large retail stores and large senior center. With less residential units, one on one parking, and small ancillary stores to basically serve the residents, the need for a senior citizen center may no longer exist, which leaves (a) a community facility use or (b) the inclusion of additional units which will still have sufficient parking space.

**Committee Chair Apelian** read the following **Codicil to RKO Keith's Variance Application – (156-03-BZ)**

**Whereas**, the NYC Board of Standards and Appeals approved a variance on December 13, 2005 (156-03-BZ) for the RKO Keith's Site which included a substantially sized 16,000SF Senior Center based upon a specific need at the time, and

**Whereas**, this specific need no longer exists, and

**Whereas**, there is a distinct possibility the need nor the funding for a Senior Center may exist when RKO Keith's Site is completed, and

**Whereas**, Community Board #7Q does not want development to be hindered at the RKO Keith's Site if the Senior Center requirement creates unmarketable space, and

**Whereas**, it has always been Community Board #7Q's position that the successful development of the RKO Keith's Site is based upon (a) the restoration of the landmarked lobby and (b) the development of a world class residential building.

**Therefore, be it resolved that Community Board #7Q hereby requests NYC Board of Standards and Appeals revert the 16,000SF Senior Center use to Community Facility Use without restrictions.**

**Furthermore**, as previously stated, it has always been Community Board #7Q's position that the successful development of the RKO Keith's Site is based upon (a) the restoration of the landmarked lobby, (b) the development of a world class residential building, and moreover (c) **with diminutive traffic to and from the Site**, and

**Whereas**, the elimination of **any** Community Facility Use would further accomplish this goal of diminutive traffic to and from the Site.

**Therefore, be it further resolved that Community Board #7Q requests the NYC Board of Standards & Appeals revert the entire 16,000 SF Community Facility Use to Residential Use with Accessory Residential Use, with the stipulation the Developer provides space for an in-house Day Care Center (for use by residents only), and in-house Fitness Club (for use by residents only), and/or any other similar Accessory Residential Use (for use by residents only).**

**The above motion was made by and seconded by Pablo Hernandez as a separate resolution that will ride along with the application, and has nothing to do with the first one. To be clear, if everyone disagrees and discards it, it does not change what has gone before.**

Discussion followed.

Q. Since there is an (a) and a (b), is it either way?

A. No, the vote right now will be for both, but (a) can ride along right now and (b) would have to come back later if it's agreed upon.

**Developer Jerry Karlik of JT Equities'** response was he has no objection to the resolution, but it will take quite a bit of re-engineering and work to turn it into a different use, if the BSA allows it.

Q. The motion gives the developer a bonus of 16,000 SF. Why is there a need to vote on it now. Can't we hold off on this decision?

A. It's not a matter of use. There were many of us in 2005 that did not want a senior center. However, the accommodation was made based upon the need at the time. If it's decided as a senior center today, 16,000 SF is huge. Many additional people will be coming in and out of the building; there will be buses, mini buses, cars, workers and traffic. The building is large, but it's on a small parcel. The option will be available to fill it with additional community space for the residents, or it may be better to fill the space with more residential units. It's a resolution to be discussed. Thus far no one has come forward to use it as senior center, but it's still too early.

**Tyler Cassell** mentioned there is a small senior center at 31<sup>st</sup> Road and 137<sup>th</sup> Street, and you'll see five buses there every day double parked impacting traffic. Imagine a 16,000 SF center on Northern Blvd?

**Kim Ohanian** said we don't need another senior center in the area, and added if she could afford 1.5 million to buy, she would rather have a day care center for her children and a luxury gym in the same building for her use.

**Frank Macchio** said even if the senior center went in, there would be a high undiscounted rent to pay. It wouldn't be feasible unless there was funding from the City or another source.

**Warren Schreiber** said in committee it was discussed that right now there is no commitment from any government agency or organization to operate a senior center. So we would be setting aside space for a senior center that actually cannot exist.

**Pablo Hernandez** said the main concern is traffic, traffic, traffic.

**Linna Yu** and **Arlene Fleishman** said today there is a glut of senior centers and day care centers.

**Arnold Wagner** asked the developer if there is any indication of the cost factor for the 16,000 square feet?

**Committee Chair Apelian** reminded Arnold it was inherited.

**Mr. Karlik's** response is that it's a major plus to the project with a fair market value if negotiated with the Dept. of The Aging with a long term lease, but It could also turn out to be a detriment.

**Committee Chair Apelian** stated our concern was not so much the financial, but trying more to minimize the traffic impact. We all inherited the senior center from day one, and passed it along to all the developers as part of the variance. Had it not been inherited, it would be residential apartments.

**Millicent O'Meally** said since it will be 30-36 month to complete the project, why not wait.

**Committee Chair Apelian** said what we are doing now is making a comment to get it out there. They're not going for the approval immediately. The BSA can change the designation now to a community facility change, but it doesn't change the plan.

Q. Is this part of ED-5?

A. I don't know. This is the first I've heard of it.

**Committee Chair Apelian** read the following motion (without the Codicil) which will be sent along to the BSA.

**Thereby being resolved, Community Board #7 requests that the New York City Board of Standards and Appeals revert the 16,000 square feet senior citizen use to community facility use without restriction, or**

**Furthermore be it resolved that Community Board #7 requests that the New York City Board of Standards and Appeals revert the entire 16,000 square feet of community facility use to residential use with accessory residential use, with the stipulation that the developer provides space for an in-house day care center (for use by residents only), an in-house fitness club (for use by residents only), and/or any similar residential use (for use by residents only).**

**The vote was taken with (32) For (1) Against (2) Left before vote taken**

**Chair Eugene Kelty asked for an Executive Session to convene which was seconded by Marc Schiffman.**

#### **EXECUTIVE SESSION**

Chair Kelty thanked everyone for staying. It's good news! He finished radiation and went for the Cat Scan which showed that the Tumor shrunk even more, by another centimeter. All his doctors are extremely pleased and the surgeon will be performing the operation to remove the tumor at Sloan's on April 20th. He will be out for a while recuperating and is turning the Chair over to his First-Vice Chair, Second and/or Third who will take over while he's out. He thanked everyone for their concern.

The meeting ended at 10:00 p.m.

Respectfully,

Mary Zuliani