



Community Board 7

Borough of Queens

Bay Terrace, College Point, Beechhurst, Flushing
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Chairperson

Marilyn McAndrews

District Manager

COMMUNITY BOARD #7 PUBLIC HEARING & REGULAR MEETING

MONDAY, SEPTEMBER 12, 2016

UNION PLAZA CARE CENTER

33-23 UNION STREET

FLUSHING, NEW YORK

PRESENT

Charles Apelian

James Cervino

Michael Cheng

Chin-Hsiang Chiang

Kim Cody

Nicholas Corrado

Arlene Fleishman

Fred Fu

Pablo Hernandez

Jeff Huang

Lawrence Hughes

Eugene Kelty

Phil Konigsberg

Peter Kwiath

Esther Lee

Frank Macchio

Rev. R. McEachern

Barbara McHugh

Selma Moses

Kim Ohanian

Millicent O'Meally

Terence Park

Vana Partridge

Kris Ram

Marc Schiffman

Warren Schreiber

Kevin Shields

Matt Silverstein

Joshua Sussman

Joseph Sweeney

Carlos Talisaysay

John Tsavalos

Peter Tu

Arnold Wagner

Harpreet Wahan

Clarissa Wong

Linna Yu

ABSENT

John Byas

Tyler Cassell

Rose Forkan

Vincent Gianelli

Kevin Kang

Kevin O'Connor

Belal Salim

Peter Sutich

Alison Tan

Jie Zhu

COMMUNITY BOARD #7 STAFF

Marilyn McAndrews, Assistant District Manager

Mary Zuliani, Community Assistant

GUESTS

Devin Wellspeak, Congresswoman Meng's office

Erin Rogers, Assemblywoman Rozic's office

Tim Thomas, Assemblyman Simanowitz's office

Chae No, Councilman Peter Koo's office

Vito Tautonico, Councilman Paul Vallone's office

Jeong-Ah Choi, Queens Borough President's office

Susan Tannenbaum, Queens Borough President's office

Chair Eugene Kelty opened the meeting at 7:10 p.m. with the Pledge of Allegiance followed by silent prayers for our armed forces in harm's way and the remembrance of all those lost on September 11, 2001 during the horrific cowardly attacks on our soil..... a day we can never forget and still mourn.

Roll call attendance was then taken by the Chair with: -- (37) Present (8) Absent (2) Excused due to illness

Chair **Kelty** then read the monthly announcements to the Board, which can be viewed at the end of the meeting or tomorrow at our office. The approval of the minutes was tabled to the next Public Hearing for review because Board Member Phil Konigsberg pointed to a discrepancy in his reported response regarding the smoke free resolution and will also speak with **Committee Chair Peter Kwiath** who chaired the original Health meeting.

Chair Kelty then asked new board member, **Lawrence Hughes**, to introduce himself. **Mr. Hughes** a resident of Flushing since 1990, has been involved with the DOT and Transit Authority, specifically in transit operation, planning, policy and law. Currently he maintains a Transportation law practice and is a member of the State Bar and is eager to bring his background and experience to the Board and the community in any way possible.

Congratulations to Board member **Millicent O'Meally** who celebrated 55 years of marriage yesterday to **Mr. O'Meally**. Our best wishes to everyone who has reached 50 YEARS and beyond!

ITEM #5 – FIRE SAFETY EDUCATION PRESENTATION – QUEENS BOROUGH COMMAND – Lt. Steve Vano and Lt. Joe Delligotti work out of Ft. Totten and travel to all five boroughs to stress Fire Prevention Education. The three most important factors which can save lives are **Prevention** of Fires, **Protection** against Fire and having a **Plan** if fires occur. Fires can start during careless cooking, smoking, candle use, and electrical malfunction. Prevention is helped by having a working smoke alarm and carbon monoxide alarm in your home. The Fire Department and/or the American Red Cross are prepared to supply you for FREE with as many alarms needed for your home. The new alarms now have batteries that you cannot take out and will last 10 years. It's important to have a plan of escape if a fire occurs. In fire-proof hi-rise buildings, it's safer to stay in your apartment, if the fire is elsewhere. Leaving your apartment, especially opening doors, can allow the fire to spread quickly and prove to be fatal. In a private dwelling you need to leave quickly, but each family member must have an escape plan, and children should be taught the dangers of playing with fire to begin with. The Fire Prevention Education unit will speak to any schools, groups, senior centers, etc. that are interested. They can be reached at 718/281-3870. If you still have a functioning old alarm and need new batteries, the American Red Cross can give you a FREE battery and install it. Their phone number is 877/733-2761 (877 Red Cross).

Q. What caused the fire at Strawberry Farms?

Lt. Vano turned the question over to **Fire Chief Thomas Wick**. Before answering the question, Fire Chief Wick added smoke and carbon monoxide alarms should be placed outside the bedroom to wake you up, and not in the kitchen.

A. Fire in Strawberry Farms was an electrical fire that started in the double ceiling. There was a lot of smoke on arrival making it difficult to see where the fire was at first. The recent College Point fire was started by someone who tossed a cooking mishap into the alley and it lit up. Unfortunately there are only two areas into College Point since it is surrounded by water on the remaining two sides, thus taking longer to get extra units into the area. Delays can increase the fire volume before arrival. A first alarm is 4 engine companies, 3 ladder companies, a rescue company, a squad company, 2 battalion chiefs and a deputy chief. Second & third alarms can bring the total to 20 units.

Chair Kelty thanked **Fire Chief Wick** and the men from Fire Prevention Education and emphasized it's a very good program and advised everyone to take advantage of it.

ITEM #6 - SULLIVAN DRIVE – BSA Calendar #4186 -4207 -16A – Committee Chair Kevin Shields - The land use committee meeting was held on July 19, 2016 regarding the naming of an unmapped street at the site of a portion of

homes not fronting on a legally mapped street located in a zoning district, pursuant to Article 3, Section 36 of the General City Law. **Committee Chair Shields** introduced the applicant's Attorney, **Eric Palatnik**, who explained that 21 of the 45 homes being constructed at the former Cresthaven Country Club will be on a street that is not on the City tax map. Therefore to create a street, we must have permission from the Fire Department, the Dept. of Transportation and then a hearing at the BSA for final approval. In the meantime, as of right construction has started on the remaining homes that front on the legally mapped street of 6th Avenue.

Q. Has the Fire Department conducted their review of "Sullivan Drive" as a private street with parking on one side only?

A. We are still awaiting their review, but as a private street the Homeowners Association will own the street, it will still conform to the normal size of a City street, and be maintained by the HOA. Although it will still be a two-way street, the Fire Department will determine whether parking will be allowed on both sides, or only one side for obvious reasons. **Chair Kelty** added the Fire Department looks for the accessibility of their equipment entering and leaving a street, especially the corner turning radius needed, the possibility of shaving back or daylighting at the corners, and if there are any impediments on the street which would interfere with needed laddering of a building. When questioned by **Vice Chair Apelian**, Atty. **Palatnik** explained although the Homeowners Association owns the street, each property owner owns the land itself in the bed of the street, but it's deeded to the HOA also. In the event the property owner is named in a law suit, the HOA will assume all liability.

Q. Will City Sanitation pick up the garbage from a private street?

A. They will be in discussion with the Dept. of Sanitation, and believe they will pick it up; but if not, private cartage will be arranged.

Q. What about the DEP, water and sewer installation, etc.?

A. We filed already and it will have to be approved, but ultimately maintained by HOA.

Q. Will there be fire hydrants and who will be responsible for them?

A. Yes, but HOA will be responsible for maintenance.

Q. Since it is a privately owned street, will it be open to anyone?

A. Yes, and it will look like any city street.

Q. What about street lights and sidewalks for the general public?

A. There will be 14 sidewalks and sufficient lighting.

Committee Chair Shields then gave his July 19, 2016 committee meeting report and added that all the proper applications were submitted to the City agencies. The vote taken was to approve unanimously **9-0** with the stipulation of final approval to be received from the FDNY and the DOT.

Discussion followed: **Kim Ohanian** suggested we should also get approval from the DEP and DOS, but Atty. Palatnik said they require approval only from the FDNY and the DOT.

With no further discussion First Vice Chair Apelian, while he supports the application, made the motion to table until positive approval is received from both the FDNY and the DOT.

ITEM #7 – WHITESTONE VILLAGE MECHANICAL BROOM SWEEPER – Committee Chair Nicholas Corrado gave his Sept. 12, 2016 committee meeting report on the street cleaning study initiated by the Dept. of Transportation and the Sanitation Dept. at the request of Councilman Vallone. The streets in question are 14th Avenue between 149th Street and Clintonville Street, and 150th Street between 12th Avenue and the Cross Island parkway service road. Currently they have metered parking from 9 am to 7 pm Monday through Saturday, and this will not change. Committee Chair Corrado said the original request was sent to Senator Avella's office by the commercial business owners who proposed 12 am to 3 am as a suitable time. Sanitation and DOT agreed to 3 am to 6 am.

Q. Why do they 3 hours, when it takes Sanitation two minutes to pass?

A. We can't answer how Sanitation sets their schedules.

Committee Chair **Corrado** gave the floor to Daniel Liu, a member of Whitestone Taxpayers Association and a business owner for 39 years in the area. He said the area is extremely dirty because Sanitation cannot do the job with cars parked day and night. He reinforced the need for DOS to clean regularly and is pleased with the days and time schedule.

Committee Chair gave his September 1, 2016 committee report wherein the members voted unanimously to approve the mechanical broom sweeper twice a week and at the time allotted.

The motion on the floor is to approve the Sanitation Mechanical Broom Sweeper to perform street cleaning on 14th Avenue between 149th Street & Clintonville Street and 150th Street between 12th Avenue & the Cross Island Parkway service road every Monday & Friday from 3 am to 6 am, seconded by Linna Yu.

Discussion followed. It was suggested Whitestone Taxpayers Association ask Walgreens if their parking lot can be used by the area residents on those days from 3 am and 6 am. **Chair Kelty** also added he will ask Sanitation if they can reduce the time to an hour and a half, and possibly consider alternate side parking for those two days.

The vote taken was (36) FOR (0) AGAINST (1) Left the room

ITEM #8 - 150-15 BARCLAY AVENUE – BSA Calendar #248-15-BZ – Special permit application to reduce required parking for the proposed as-of-right five-story, 14,975 sq.ft. medical building in an R5/C1-2 zoning district. On September 8, 2016 the Committee Chair, **Reverend R. McEachern**, held their meeting to discuss the special variance to reduce parking spaces from 50 to 25, with 16 spaces on the cellar level, 9 spaces on the first floor, and an ambulatory diagnostic treatment health care facility on floor 2 through 5. By dividing the square feet by 300, the applicant must have 50 parking spaces. The applicant's attorney, Eric Palatnik, brought up the BSA's special permit for medical buildings, Sec. 73-44, that allows parking spaces to be reduced by half, provided they prove their intention is only for a medical building, thus their request for 25 spaces. Studying the area, they concluded most of the day 25 spaces would be sufficient, with the exception of a couple of hours where 5 more spaces might be needed. There again they felt there was no hardship finding those spaces on the street.

Q. Will there be 5 doctors for every floor?

A. No! Each floor will have about 2000 sq. ft. (not counting stairway, hallways, elevators) with a doctor on each floor plus staff who may need parking.

Q. Will there be valet parking, and if so, what about cars waiting in line for parking?

A. There will be valet parking, and the 130 ft. ramp down to parking will eliminate street traffic delays?

A representative from DOT spoke about their medical office facilities screen study to determine standard trip generation rates in Queens and Brooklyn, wherein they found only 30% actually drive to medical offices. The remaining 70% come by car service, cab, bus or by walking. The DOT estimates there are 127 trips per 1000 square feet per day. If you times 127 by 15000 sq. ft. and then take 30% coming by car for an entire day, this location would peak between 10 and 11 am during the week days with a need for 29 parking spaces. They then checked the surrounding 16 block area (and even listed them) and found at least 4 spaces were available.

Q. Can't you excavate down deeper for another floor with more parking?

A. Of course you can, but that would be extremely expensive.

Q. Did you take into consideration the school, church, restaurants, businesses, etc. in the study of the area?

A. No! However, the peak hours for these particular operations might not be the same time frame as the medical offices' hours.

Q. You said you are working under Sec. 36-21? Explain that!

A. Yes we were, but Sec. 73-444 is the special permit zoning regulation that can allow further reduction of parking Spaces if it will be strictly a medical facility only. Sec. 73-03 is the enabling section.

Q. Why is there a reason to grant it, since it's an as-of-right building?

A, I don't have an answer, only that it's an available variance if you ask.

Committee Chair **Rev. McEachern** pointed out it's available for medical facilities only, if the applicant chooses to ask, but not necessarily given.

Q. Is the developer and the owner the same person, and is he here?

A. Yes, but he couldn't be here this evening, but the architect is here.

Q. Have they done any test boring for water level?

- A. Yes, but there is nothing preventing them from going deeper. Money is the issue!
- Q. Is the cellar's sixteen parking spaces going to be stacked?
- A. No!
- Q. How many cars can be on the ramp waiting to be parked before backing up into traffic?
- A. With the ramp being 130 feet, eight or nine cars would have to come in at the same time. This does not include the reservoir holding space attendants use to bring each car to a final parking space or to the Car's owner when leaving. The reservoir space is not for parking!
- Q. Will the doctors, staff and building maintenance have use of the parking spaces?
- A. Parking will be first come, first serve.
- Q. What happens if staff is expanded?
- A. We've given you the worst scenario. You can only have so much staff for each doctor.
- Q. What are the attendant's hours of operation?
- A. Attendants will be there every time the building is open for business.
- Q. What is the fee for parking?
- A. Parking is free.
- Q. First Vice **Chair Apelian** asked how did they arrive at the FAR of 2.4 in the R5/C1-2 zone?
- A. For a community facility you are allowed a FAR 2.0, and with a 30 ft. setback you get a 0.4 bonus for a total 2.4 FAR.

DISCUSSION FOLLOWED:

Speaker **John Giuffre**, First Presbyterian Church, brought up the following: 1) Mentioned in submission was the use of the church parking lot adjacent to the subject property, which can't be since it's not owned by the Church 2) The parking survey was on 10/20/15, a Wednesday, with not mention of alternate side parking on Thursdays and Fridays. 3) Also no mention of the Flushing Christian School, which is on the premises of First Presbyterian Church. The School Buses that pick up and drop off children stop on Barclay Avenue, opposite the driveway for this building, and will be impassible for emergency vehicles. 4) The traffic survey submitted is flawed because the date it was taken, 12/29/15, school was not in session. We would want the opportunity to submit our own traffic study to BSA and CB7 5) Also, Once a week there is a delivery from City Harvest since the churches run a food pantry. Adding a medical facility will add to the congestion.

Speaker **Eleanor Doyle**, **First Presbyterian Church**, concurs with Mr. Giuffre's remarks and added there are also children from P.S. 22, across the street on Murray Street, which adds to the dangers the children face.

Speaker **Mark Perri**, Pastor of Immanuel Community Church and member of Murray Hill Neighborhood Association the past 30 years, said downtown Flushing has moved into our area. The Food Pantry serves 200 every Saturday. His wife, a visiting nurse serving the area, can never find parking near her patients. Barclay Avenue is a narrow two-way street and this facility is not needed since they already have sufficient hospitals and medical facilities.

Speaker **Samuel Park**, Pastor of Presbyterian Church, said the church is open 7 days a week from morning until late at night with 3 churches holding services in English and Spanish for worshippers. They teach 150 children from K to 8th grade, plus 30 pre-school and an after school at 5 pm, in addition to church services. The location is already very congested with children everywhere. He is strongly against this building and worries about the children's safety. This building would require, not 25, not 50, but more than 75 inside parking spaces. There is no parking available on the street.

Speaker **Sandy Herrera** and **Tania Storger** both are concerned about the safety of the children also.

Speaker **Karen Blatt**, Principal of Flushing Christian School concurs with what has already been said. This is a private school with some children coming by car/bus from outside the area. Parents double park on this narrow street to drop and pick up their children. It's already a difficult situation and the new facility would put more of a burden on the safety of the children.

Speaker **Joe Karlyo** stated it's all smoke and mirrors to push this through with a bunch of facts and figures to lead you to believe it will be okay. It's not! If approved, you will find out too late it's not workable. The street is too narrow, with too many churches and schools, and a busy fire department just around the corner.

Committee **Chair McEachern** summed up with his report stating he and his committee voted unanimously to disapprove the application at their committee meeting for all the reasons above.

The motion on the floor is to disapprove this application in its entirety, seconded by Marc Schiffman.

DISCUSSION FOLLOWED:

Board member, **Joseph Sweeney**, stated it is the fiduciary responsibility of the Board to advise the BSA in strong terms that this application will not be good for the neighborhood and should be rejected. Second Vic Chair **Frank Macchio**, well versed in real estate and medical space, explained in an R5 zone with 6250 sq.ft., a 1.0 FAR is allowed, which may not work out too well economically, but with the commercial overlay an additional 1.0 FAR IS GAINED. Now by masking it as a community facility and taking a set-back, we get the bonus to increase the square footage to 15,000 and a FAR of 2.4. As a real estate professional, he does not consider it as a medical facility!

The vote taken was (35) Disapprove (2) Approved (0) Abstain

ITEM #9 – Input on the Preliminary Budget for FY 2017/2018 – Committee Chair Kim Ohanian- Since the Capital and Expense Budget lists were not received by the board members, Committee Chair Ohanian read first the Capital Budget For year 2018.

Q. The reconstruct of several parks are listed, but without specific information on what will be done. Is it always done this way?

A. I believe that's how it's always been worded in the past. We do have regular routine scoping meeting with Parks for specifics.

Chair **Kelty** added we would rather the Parks Dept. tell us exactly what they plan and can do for the next year, instead of what we'd like done.

Q. On budget item 18, can we extend the reconstruct of College Point Blvd. from 14th Avenue to 23rd Avenue instead of 22nd Avenue?

A. We don't know, but we will go back to the DOT and OMB to see if it can be done.

Second Vice Chair **Macchio** noted that over 30% of the budget is for Parks Dept.

Q. What about Meditation Garden maintenance and the shortcut path made by students from the Meditation area from 56th Avenue to

Rachel Carson in Kissena Park?

A. That comes under Kissena Park reconstruction, which is already on the list.

Q. Also, what about resurfacing or reconstruction 141st Street between 56th Avenue and Booth Memorial Avenue?

A. It will be added to the list as number 32.

Committee Chair **Ohanian** read the Expense Budget for year 2018.

Q. Board Member **Selma Moses** questioned the metered parking now in front of the Library?

A. We asked for metered parking since people were parking there all day long. It is only during Library hours, so it wouldn't impact individuals coming home from work and parking overnight.

Q. What do you mean by supporting the expansion of muni meters?

A. We weren't getting a fair share of meters issued in our area, so it's best to continue support so we don't lose if altogether.

Q. Where does the hundreds of thousands of dollars generated by tickets go?

A. The money the City receives from parking summonses goes to the General Fund and used as the City see fit.

Speaker, Sam Sambucci, property and business owner in Willets Point, 3rd generation born and raised in Flushing. The last several years CB #7 has incorporated in their budget the reconstruction of the streets of Willets Point. The photos taken 4 years ago shows 30 years of absolute neglect with some roads that are impassable, dangerous and may ultimately lead to deaths. The remaining tenants understand the new developments to come, but it's taking years. In the interim the City has not and will not maintain the 3000 linear feet in need. Just imagine if tonight's discussion about street cleaning and garbage removal in Whitestone was neglected even for a month. Now visualize garbage removal once a year, and no road repairs or new roadbeds for 30 years. Garbage is picked up every April for the opening of Citi Field and every September for the U.S Open. This is what we see every day and it's truly disgusting. At this point, **Chair Kelty** said he will ask the DOT for the latest update at our upcoming District Service Cabinet meeting. **First Vice Chair Apelian** acknowledged we are doing our part, but you should also involve your Councilwoman Julissa Ferraris and Borough President Melinda Katz, who also is aware of it.

REGULAR MEETING

When district Manager Marilyn Bitterman notified **Chair Kelty** she was going to step down and retire, he asked Susan Marchetti at the Borough President's office the proper procedure to follow. She advised first we must publicize the open position in 3 places, i.e., one daily paper, our own website and the Citywide website. That being completed, he asked **Josh Sussman**, our Legal Committee Chair for the Board to conduct the interviews to be held before the Executive Board, according to the City Rules & Regulations. Four applications were received and each were sent letters giving the time and date for their interview. Although all four acknowledged and said they would be present, only three actually appeared; Matthew Simon, Marilyn McAndrews, and Janet Christofi. The fourth, Michelle Monfort, was a no-show. After much deliberation, the Executive Board's recommended choice for the new District Manager of CB #7 was Marilyn McAndrews, pending the full board vote of Community Board #7.

The motion now on the floor is to approve the nomination of Marilyn McAndrews as the new District Manager for Community Board #7 Queens, seconded by Linna Yu.

The vote taken was (35) unanimously approved (2) had already left the room

Ms. McAndrews graciously thanked the Executive Board, **Chair Kelty** and Community Board for the opportunity to service as District manager of CB #7. She also thanked Marilyn Bitterman, our past District Manager for over 30 years, for the confidence she had in her to seek the position. Overwhelmed by the unanimous vote of the Board, she will do her best to serve the Board and their community faithfully.

PUBLIC PARTICIPATION

Speaker **Jim Lyman**, spoke on behalf of the NY Velodrome Association, a public benefit corporation seeking 51C group status presently working with Parks Dept. to rebuild Kissena Park's Velodrome, which is badly needed. The flyers on the desk give a list of their many programs, and look forward to making a future presentation at CB #7's next public hearing.

The meeting ended @ 11 p.m.

Respectfully,

Mary Zuliani