



Melinda Katz  
*Queens Borough President*

# Community Board 7

## Borough of Queens

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Eugene T. Kelty Jr.

*Chairperson*

Marilyn McAndrews

*District Manager*

### COMMUNITY BOARD #7 PUBLIC HEARING & REGULAR MEETING

MONDAY, FEBRUARY 11, 2019

UNION PLAZA CARE CENTER

33-23 UNION STREET

FLUSHING, NEW YORK

#### PRESENT

Charles Apelian  
James Cervino  
Michael Cheng  
Chin-Hsiang Chiang  
John Choe  
Kim Cody  
Nicholas Corrado  
Arlene Fleishman  
Richard Forman  
Fred Fu  
Pablo Hernandez  
Jeff Huang  
Eugene Kelty  
Phil Konigsberg

Esther Lee  
Li Mei Li  
Frank Macchio  
Rev. McEachern  
Barbara McHugh  
Selma Moses  
Kim Ohanian  
Millicent O'Meally  
John Park  
Terence Park  
Kris Ram  
Paul Rifino  
Belal Salim  
Marc Schiffman

Warren Schreiber  
Kevin Shields  
Matthew Silverstein  
Peter Sutich  
Joseph Sweeney  
Alison Tan  
John Tsavalos  
Peter Tu  
Harpreet Wahan  
Clarissa Wong  
Dian Yu  
Linna Yu  
Lei Zhao  
Jie Zhu

#### ABSENT

Alfredo Centola  
Christine Colligan

Vincent Gianelli  
Lawrence Hughes

Joshua Sussman

#### COMMUNITY BOARD #7 STAFF

Marilyn McAndrews, District Manager

Mary Zuliani, Community Assistant

Mary O'Neill, Community Associate

#### GUESTS

Lynn Koester – Assemblyman Daniel Rosenthal's office

Barbara Baruch – State Senator John Liu's office

Joyce Choi – Councilman Peter Koo's office

Tony Cao – Assemblyman Ron Kim's office

Brian Lam – Assemblywoman Nily Rozic's office

Vito Tautonico – Councilman Vallone's office

Sandra Ung – Congresswomen Grace Meng's office

Jason Antonopoulos - Assemblyman Edward Braunstein's office

Third Vice Chair Warren Schreiber opened the meeting at 7:10 pm since Chair Kelty will be delayed coming from the Borough Board meeting and First Vice Chair Chuck Apelian is traveling from the City. He asked all to stand for the Pledge of Allegiance followed by a moment of silence to honor our military serving abroad and at home, as well as our uniformed services protecting us daily at home.

Third Vice-Chair Schreiber took the roll call attendance with (42) Present (4) Excused (1) Absent.

We were sorry to hear Peter Kwiath, our board member for the past ten years who chaired the Health Committee, resigned for health reasons. It was a pleasure working with him and we wish him all the best. It was announced at our January meeting that Don Capalbi, President of Queensborough Hill Neighborhood Association passed away. Vice-Chair Schreiber added he had just retired a few days before his death. Our condolences to his wife Laura and his family. We will miss him.

Vice Chair Schreiber read the monthly announcements. Metro North has a position for Fleet Manager @ \$75K to \$94K. New York State's Dept. of Civil Service announced more than 100 different entry level jobs located throughout NYS in professional fields including Environmental, Human Resources, Budgeting, Transportation, Accounting & Auditing, Health & Human Services, Physical Sciences, etc. Application deadline is 2/20/19 with examination dates April 6<sup>th</sup>, 7<sup>th</sup> & 13<sup>th</sup> of 2019.

**ITEM #5 – Waterfront Alliance** – Board Member & Scientist, Dr. James Cervino, supports protecting our coastal waterways from erosions, the setbacks needed on the waterfronts, the increasing risks of waterfront overdevelopment, especially with sea levels rising around the globe, and the need to take action now with smart choices and follow-through prevention. Dr. Cervino gave the floor to Sarah Dougherty from Waterfront Alliance, a non-profit with offices at South Street Seaport the past eleven years, to discuss their Waterfront Edge Design Guideline (WEDG) a nationally recognized standard to enhance resilience, ecology and access in waterfront development. Any waterfront project is eligible for WEDG certification. They have eight certified projects in NYC and the movement is growing. Ms. Dougherty gave a slide show of several projects completed in New York City sites which were impressive. WEDG can help hold developers to a higher standard, improve land use decisions and help you advocate for a more equitable development process.

Q. Selma Moses said Flushing Creek's waterfront water stinks and needs to be dredged out and will cost \$billions to clean out. Has anyone given any thought to that?

A. **Dr. Cervino** said that is a good example of improper planning before building all those buildings close to Flushing Creek. Proper setbacks, and buffers and vegetation layers could have made the difference. McNeil Park's ball field floods after every storm. Flushing Airport is under water and they want to develop the area in the future. Looking at flood line maps where developers want to build, you can intelligently insist on setbacks, or deny for lack thereof.

Q. What does the developer get in return for being WEDG reliant?

A. The biggest incentive is a return on their investment in 50 years. Also working with the flood insurance industry, you will likely have your flood insurance premium reduced, and the overall benefits lead to better community relations and support in the ULURP process.

Q. **Chair Kelty** said this is not done by City Planning then. Is that correct?

A. Yes, we are not a regulatory agency.

Q. Have you been before City Planning to see if they take any of your recommendations?

A. We work with all the major agencies and aim to be above policy, even exceed policy standards, but never part of policy per se. We are not codified by law, but hope to be one day. Still, we have a great relationship with the City.

**Chair Kelty** summed up stating the Leed policy is designed by City Planning with rules and regulations, not by Waterfront Alliance, which are volunteered with no advantages to the developer. Since we had no committee meeting on this, the resolution draft will be brought to our Environmental Committee for discussion with them, what's enforceable or not, and with possible changes and a final recommendation by the full Board. His meeting today at Borough Hall was about the Waterfront Zoning Text for the 100 year and 500 year plan for the NYC area. Ours involves College Point which will be discussed also at our next Environmental Committee meeting. Board Member, **Joseph Sweeney**, added next month he will be chairing the Environmental Committee together with City Planning, specifically on the problems with Flushing Creek and further development of Flushing West, and invited Ms. Dougherty to attend.

Q. Board Member **Pablo Hernandez** asked if your organization is made up of volunteers?

A. We are a non-profit organization of paid employees. We do have a volunteer program to help us review projects for certification.

**Chair Kelty** clarified Pablo is asking who is on the executive board.

A. Our Executive Board is composed of 13 people and are listed on our web site.

Q. Board Member **Bill Salim** asked if they are working for FEMA and helping to change their maps?

A. No, we are not working with them to change maps. We use the most recent FEMA maps, then add additional safety buffers of 1 ft. to 3 ft. and additional sea level elevation projection ranges. We go beyond what FEMA does. **Dr. Cervino** added they use the federal data and NOAA data, etc. that go into FEMA base lines to calculate and project their own plans and ideas together for the future. FEMA's guidelines are for today, ours are for the future.

Board Member Phil Konigsberg said Waterfront Alliance puts out the City Water degradation every summer at Governors Island and we should try to attend. Ms. Dougherty added Waterfront Alliance has over a thousand alliance partners and every year they do different Citywide Events. There should be something coming up for Flushing Bay this year.

**ITEM #6 – DOT School Safety Program for Northern Blvd from 146<sup>th</sup> to 147<sup>th</sup> Street** - Transportation Committee Chair, **Nick Corrado**, introduced speaker **Al Silvestri**, Deputy Queens Commissioner for the Dept. of Transportation and his colleague **Julie Dubovsky**, from School Safety who gave the slide presentation. Mr. Silvestri said after meeting with CB7 in 2018 and again in 2019 discussing everyone's concerns and further feedback on this multi-agency priority project, they are back to share with us their safety plan. Ms. Dubovsky gave a slide show of the **Vision Zero** priority area and intersections with the changes that can make it safer for the schools in the area. Most of the accidents happened with vehicles' failure to yield making left turns (66% from 146<sup>th</sup> Street, a two-way, and 85% from 147<sup>th</sup> Street, a one-way north) onto Northern Blvd. (a two-way) and the pedestrian lead time crossing Northern Blvd being too short, especially with a gas station driveway on Northern Blvd, and three schools in the surrounding area. Their plan is to ban left turns on 147<sup>th</sup> Street, and to install on 146<sup>th</sup> Street hardened center lines to control left turns and install concrete islands on Northern Blvd. and 147<sup>th</sup> Street for pedestrians crossing.

Q. **John Choe** -The hardened center lines on 35<sup>th</sup> Avenue are always being damaged. How do you propose to use these on Northern Blvd?

A. There are several types. The one proposed on Northern Blvd. are hardened raised bumps instead of the lineators you are referring to which are always in need of repair, but do work well in some areas.

**Gene Kelty**, referring to the banning of left turns on 147<sup>th</sup> Street which will impact 149<sup>th</sup> Street's left turning traffic, asked if the DOT did a current count of cars turning onto 147<sup>th</sup> Street as a consideration?

A. Mr. Silvestri said any time we do a turn restriction, we always look at the signal timing to accommodate the additional cars that will need to use the next left turning street.

Q. **Arlene Fleishman** asked why not have a left turn signal on 149<sup>th</sup> Street instead?

A. They can look into it, since 149<sup>th</sup> Street has a left turn bay.

Chair Kelty voiced his concern of the busy Dunkin Donuts still there, the schools in the area (one of them being the Shields Institute for the Autistic he wasn't aware of), and the day laborers waiting for pick-up added to the congestion in the area.

Q. **Kris Ram** asked what about placing some cameras in the area?

A. There is State legislation which limits where cameras can be placed, how close it's allowed to a school entrance, crash statistics, etc., to see if the area qualifies.

With no further questions, Committee Chair Corrado thanked his committee, the DOT, Al Silvestre, Andrew Arcese, and Julie Dubovsky. In discussion with the Chair, since it was not listed on the agenda under "Public Hearing" it cannot be vote on tonight. First Vice-Chair Apelian explained it was an oversight, as we are required by law to give seven days advance to the public to comment and then vote on this issue. Therefore, it will be on our March Public Hearing agenda when he will give his report, have a discussion and then the vote taken.

**ITEM #7 – 35-11 Prince Street, Flushing - Cal. 246-01-BZ- Committee Chair Barbara McHugh** – Application to amend the previously approved special permit for another 10 years to operate a Physical Cultural Establishment, which expired on June 1, 2018, and to amend the PCE floor area by 4,037 sq. feet from an eating and drinking facility in the existing building. The committee meeting was held on December 12, 2018. Committee Chair McHugh introduced **Elise from Atty. Palatino's** office who added the PCE is in a C2-2/R6 and M1 zone as well, no new signage is needed, and the hours are still 6 am to 12 am weekly, Saturdays 7 am to 12 am, and Sundays 7 to 10 pm.

Q. **Alison Tan** asked is the added space to be used as a gym with food and drink?

A. Only as a gym, we are not a spa. The eating & drinking establishment was a separate rental in the building.

Q. **Phil Konigsberg** asked if it expired in June, why did you wait this long?

A. We filed on time and the meeting held in December did not fulfill a quorum, and had to be cancelled until January and a final vote tonight.

Q. Kim Cody asked why did you lease the additional floor space?

A. The business is doing well, the space was available....why not utilize the extra space for more clients

Committee Chair McHugh gave her report adding that the additional space will be for male & female locker rooms. More parking will be added in the cellar bringing total parking spots to 52. **The vote was unanimous to approve.**

**Motion on the floor this evening is to approve the special permit for another 10 years to June 1, 2018 and amend the Physical Cultural Establishment floor area by 4,037 sq. feet to be used for male and female lockers seconded by Lei Zhao.**

**The vote taken this evening was also unanimous.**

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

In honor of Black History month, Board member, Millicent O'Meally, who served as Fourth Vice-Chair some years ago, recounted the story of Elizabeth Jennings who boarded a streetcar in 1854 labeled "Whites Only". She was forcibly removed and injured. The incident was published in a newspaper run by Frederick Douglas, also a great narrator, and spurred the passage of a NYS Law against discrimination.

The following residents, who all live on Underhill Avenue, spoke of the DOT project using a DEP site on Underhill Avenue. **Nutan Rege**, said construction started quietly one day and when asked "what's the project?" Was told it was the DOT's. They came with large construction vehicles cleaning concrete six days a week, starting at **7 a.m.** They said they had approval from the community, but they didn't. He asked for our help, as well as the following residents who also spoke, i.e., **Danny Mayorn, Billy Joe Cruz, Joseph Smerglimolo, Alan Petrolis, Dottie Solo, Bebe Rhani, Neda Most, Peter R., David Most, Gino Crozzoli, Diane Varisco, and Candace Kouzoukian and Carlton Williams from Bridgeview Nursing Home.**

**Chair Kelty** acknowledged the contractor came to us asking if they could use the DEP site by 170<sup>th</sup> Street & Underhill Avenue. The City does not put notices for everything to be done, only with a ULURP project. The contractor said DEP didn't have a problem with this and asked we send a letter of no objection to the DEP. We sent the letter with some stipulations which were read into the record. The contractor has been attending monthly CB meetings and is here tonight. We do not get to vote on this type of construction and can't tell a contractor where to place their equipment. If you want the construction site deeper into the DEP site, we'll need to meet with Councilman Koo's office.

Q. Board member, **James Cervino**, asked if they are operating a C&D transfer station, processing and stockpiling dirt? Did DEC give you permission to screen and separate?

A. Contractor's rep: We install water mains and sewers. We excavate, take boulders, soil, etc. and cart it away. We are not crushing any materials.

Q. **Chair Kelty** asked how many trucks per day?

A. Twelve trucks on site with multiple trips per truck.

Q. **Chair Kelty** – Was the debris excavated contaminated?

A. Our environmental engineer tested the soil, and the results were negative.

**District Mgr. McAndrews** added we have been forwarding complaints from residents to the contractor. After meeting with Council Peter Koo and the District Council we received only one complaint and no complaints were logged with 311. **James Cervino** asked the group to identify a few key group members who can meet with him to present evidence to Albany to make sure this contractor has the proper permits, if any. **First Vice-Chair Apelian** said we will touch base with Councilman Koo's office and try to set up a meeting with him on-site ASAP. Some of the excerpts from the residents listed above were as follows: "Some of our trees and bushes, flowers, etc. knocked down. Noise unbelievable. Logged them coming in as early as 5 am. Trucks speeding 50-60 mph. After complaining it's down to 40-50 mph. Feel like I'm living in Arizona with all the sand on the block. There's a minimum of 30 trips a day. Why is there a commercial site in a quiet residential area? It shouldn't be a processing debris site. There's school buses, children, a greenway. Trucks are queueing all day to get in. Underhill Avenue should not be a truck route. We already have an aviation noise issue, but trucks are intolerable.

We haven't seen the permit. There's no accountability. I was in the hospital over the summer only to come home to noise and unable to breathe. The screening machine runs constantly...loud and low. The sewer smells....where did they dig this stuff up from? Air and water quality is an issue. The sand and gravel coming up from the trucks is a carcinogen. Why aren't the trucks covered? They didn't connect to the fire hydrant correctly causing a small sinkhole in the sidewalk adjacent to it. There's a residue in my bathtub which remains on my body after bathing." And there is more.....

**Joe Sweeney, Board member**, said a contractor has to take a bond out and insurance. You should go after the insurer as leverage. File a claim with the Office of the Comptroller, especially if there's damage to your property and sewers. Board member, **Frank Macchio** added its tremendous how you all unified to advocate together. You couldn't hire a better consultant than **James Cervino**.

**Meeting adjourned at 9:30 pm.**

**Respectfully,  
Mary Zuliani**