

Community Board 7

Borough of Queens

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

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Eugene T. Kelty Jr.

Chairperson

Marilyn McAndrews

District Manager

Sharon Lee Acting Queens Borough President

COMMUNITY BOARD #7 PUBLIC HEARING & REGULAR MEETING MONDAY, NOVEMBER 9, 2020
AUDIO AND VIDEO TELECONFERENCE

PRESENT

Charles Apelian James Cervino Kaily Cheng Michael Cheng John Choe Kim Cody Arlene Fleishman Richard Forman Fred Fu **Doreen Gatanas** Vincent Gianelli Pablo Hernandez Jeff Huang Lawrence Hughes **Eugene Kelty** Phil Konigsberg

Wensong Li Wendy Louie Frank Macchio **Betsy Mak** Rev. R. McEachern Barbara McHugh Michelle Miao Selma Moses Sergio Nicolich Kim Ohanian Millicent O'Meally John Park Terence Park Yacov Pshtissky Kris Ram Paul Rifino

Warren Schreiber Kevin Shields Matthew Silverstein Joshua Sussman Joseph Sweeney John Tsavalos Harpreet Singh Wahan Clarissa Wong Maggie Wong Dian Yu Linna Yu Lei Zhao Jie Zhu

Belal Salim

ABSENT

Chin-Hsiang Chiang Fred Fu
*Nicholas Corrado Esther Lee

*Peter Tu

COMMUNITY BOARD #7 STAFF

Marilyn McAndrews, District Manager Mary O'Neill, Community Associate Anne Krzyzanowski, Community Aide

GUESTS

Sandra Ung-Congresswoman Grace Meng's office Mabel Tso-Congresswoman Alexandria Ocasio-Cortez's Office Soojin- State Senator John Liu's office Brian Lam – Assemblywoman Nily Rozic's office Amber - Assemblyman Edward Braunstein's office Vito Tautonico - Councilman Paul Vallone's Office Joonyong Ahn - Councilman Peter Koo's Office Elizabeth Bian - Queens Borough President's office Vanessa Ordonez - Queens Borough President's office Hye-Kyung Yang - Dept. of City Planning Qns. Office Chair Gene Kelty opened the meeting at 7 pm via audio and video teleconference. He thanked all board members in attendance participating this evening. He reminded the public can only speak during public participation at the end of the meeting and will be limited to **3 minutes** speaking time. All stood in their home to Pledge allegiance to the Flag in honor of men who fought for our freedom, especially those who gave their lives and those who came home seriously injured. Let us honor them on Veteran's Day, Wednesday, November 11 and every day thereafter.

The attendance was taken with (45) Present (3) Absent (2) Excused*

Announcement from Elected Officials:

Sandra Ung (Congresswoman Grace Meng) - Although working from home, we are available Monday through Friday during business hours. Feel free to reach out.

Mabel Tso, (Congresswoman Alexandria Ocasio-Cortez) the House will go back to Session on Nov. 16th. No updates on the corona virus stimulus. Also, we have a virtual town hall scheduled for next Thursday at 6:30 pm.

Soojin Choi-Lee, (State Senator John Liu) Our office is open during business hours at 718/765-6675. You can also contact me by e-mail at soojin@johnliusenate.com.

Brian Lam, (Assemblywoman Nily Rozic) If you need, we have PPE supplies so contact our office anytime. (*Chair Kelty said to expect a call from our office tomorrow re the veteran's building*). **Amber Yoon**, (Assemblyman Ed Braunstein) Our office is open; any questions, concerns, contact us at at our office number 718/357-3588.

Elizabeth Bian, (Queens DA Melinda Katz) Veteran's Day celebration tomorrow virtually at 6 pm from Queens Borough President's Office. (*Chair Kelty asked that she send us the link for those interested*). **Vito Tautonico** (Councilman Paul Vallone) Nothing to report. Just here to see how the ULURP vote goes.

Joonyang Ahn (Councilman Peter Koo) Nothing new to report.

Announcements from the Chair:

John Byas, a former board member for 16 years passed away October 29th leaving behind his wife, Johnnie Mae, 3 children, 7 grandchildren and 3 great grandchildren. He served in the Navy, was on five Board committees including Land Use, Housing and Budget. He campaigned heavily for Kissena Park Corridor, was a strong proponent for Booth Memorial Hospital (who saved his life), and a true fighter on every level for the community. After finally having to step down from the Board for health reasons, he continued to actively reach out to us to help us about our concerns. We all will miss him. We will advise you of any arrangements made by his family.

The Glow Community Center Clinic at 133-29 41st Avenue, Flushing is giving FREE Flu shots on Friday, November 13th from age 3 yrs. and up on between 12-4 pm. Bring your photo ID. If you are a senior citizen, ask for the proper shot.

The **MTA's Mask Force** is giving away masks on the buses in Jackson Heights. We will call the MTA tomorrow since Flushing has one of the biggest subway stations as well as the No. 58 Bus terminal in Queens and should receive these free masks also.

Neighborhood Cleanups -New Yorkers interested in volunteering to help clean up their neighborhoods can reach out to the DSNY who will provide the necessary equipment and supplies. Notices will be sent to everyone in the community, including businesses and civic groups who have the time and might be interested in helping. Because of recent budget cuts, the DSNY would appreciate any and all help given by the community.

Destination Greenway – NYC Parks and DOT have teamed up with a conceptual planning process to improve the NYC Greenway in Northeast Queens from Flushing Meadows Park, Kissena Park, Cunningham Park, Alley Pond Park and The Joe Michael's Mile. A virtual zoom meeting will be held on November 16th at 6:30 pm. We'll send you the information and the link.

Approval of the Minutes –The October minutes were not ready in time for this month's meeting.

Chair Kelty reminded everyone the 109th Precinct Community Council Meeting is on November 11th at 7 PM. RSVP is required because seating is limited. To reserve a seat contact Jerry Filippidis, President of the Council who can be reached at 718-344-3200.

Comment from First-Vice Chair Apelian – He spoke about the conduct during virtual meetings and thought it best we review it. It's not just a view only, but you are being watched every second you're on the screen so be careful what you're doing at all times. It's been now about six months having virtual meetings. Still there are echoes, and talking in the background. If you need to walk away or you have to cough, you can push pause video. Be more cautious about it, especially when we have a Public Hearing. Remember you are constantly in a mirror. We're not perfect. Just try to be more discreet. These are professional and governmental meetings and we are appointed representatives.

PUBLIC HEARING MEETING

163-10 Pidgeon Meadow Road, Flushing, BSA #180-9-BZ8 – Kevin Shields Committee Chair -

The application is requesting an extension of the previously approved variance, a waiver of the Board's Rules of Practice and Procedure, and minor modifications to the above previously approved variance Committee Chair Shields described the background of this application as follows:

- Straightforward extension of existing variance going back 50 years showing that the property had been a gas service station.
- In 1998 it was converted to a convenience store with a 20 year term. The property has been a commercial property for 60 years.
- The applicant wants to extend for another 20 years, add glass enclosure seating, one more parking space, and more green buffer space.
- There are no complaints or violation on record.
- Presentation form the applicant's attorney, Jay Goldstein, stating they are modifying and extending the
- variance originally approved in 1956 as a gas station and in 1998 as a convenience store. The site is across from the cemetery and has a one story 1450 square ft. retail store. Their proposal seeks to extend the term of the convenience store, adding a parking spot, planting, buffering between the site and residential, and an enclosed 7'6" walkway with glass and tables. The rationale behind having tables is to reduce people who currently are eating on the street in front of the store, as well as keep trash more contained and in the building. It will keep the site cleaner and maintain the commercial operation as it has been for 60 years. The hours of the store are from 6 am to 10 pm.

QUESTIONS & ANSWERS:

- Q. Chuck Apelian (CA) I see multiple zoning lots. Can you explain please?
- **A.** Jay Goldstein (JG) Zoning lot 7 will be planted, no construction at all, as a buffer and was the original intent of the variance. Lot 8 is the main property. We also want to add a triangular planter bed at the northern corner. We are not adding Lot 7, it was just never part of the variance for commercial use, but will used as a buffer between commercial and residential.
- **Q.** (CA) Is there any waiver for Lot 7?
- A. (JG) No, It's already shown on the plans. We're just adding more trees and grass.
- Q. Warren Schreiber (WS) How much parking is their currently? Are you going to add one spot?
- **A.** (JG) There were eight spaces approved in 1998. Four of the eight spaces are still in front of the store. The remaining four will be rotated to allow the placement of the new spot.
- Q. Phil Konigsberg (PK) The existing dwelling adjacent to Lot 7, how will it impact them?
- **A.** (JG) We will be planting a shield of trees between the store and the residence which is 20 ft. wide.
- Q. (CA) Lot 7 was an out parcel, not under ownership, but now it's being included?
- **A.** (JG) Lot 7 was always included in the variance and always shown as vacant. The variance was only granted to Lot 8. We are going to keep Lot 7 vacant and planting it. My client bought Lot 7 and 8 a few years ago.
- **Q.** (CA) So there's a new owner since the previous variance?
- **A.** (JG) Yes, he bought it maybe five or six years ago.
- **Q.** Barbara McHugh (BMc) Is there going to be a fence only between lot 7 and the next door resident or around the property?
- **A.** (JG) We will have some fencing around the property also. We aren't going to have people trespass on our property. It will be closed off so no one can traverse, but open enough for trees to be visible
- **Q.** Jim Cervino (JC) I want to ask about the landscape plan in Lot 7. Will it be a dense vegetative buffer or just a line of trees?
- **A.** (JG) It's just shown as trees along where the parking area is, not behind the building, and trees at the end of 163rd Place.
- **Q.** (JC) Have you spoken to residents there? Would they like a denser buffer?
- **A.** (JG) I haven't spoken to them, but our client has a good relationship with them. The proposal is a marked improvement over what's there now. However, I will ask my client to speak to them. We want no complaints from the neighbors.
- **Q.** (CA) Asked Committee Chair Shields Were there any complaints lodged or were you able to talk to the neighbor?
- **A.** (KS) We did not talk to the neighbor or those living across the street. Also there was no one from Civics present at our meeting, and no complaints were found on record.

Comment by Board Member Betsy Mak (BN) - How can we enforce them to not use the space as a dumping/storage ground?

- **A.** (JG) In the last few years, the BSA has instituted a Compliance Officer and Compliance Hearings. If a complaint comes before the BSA, the applicant will be called to rectify the issue with a follow-up by the BSA or lose their variance. No one wants to take that risk.
- Q. (BM) There is a large yellow container paved with concrete. What is it used for?
- **A.** (JG) The yellow cargo container was used for storage and BSA requires its removal. We will re-configure the interior of the property to have inside storage space. Since the last meeting, clean-up is ongoing. The garbage is now gone. We can send you photographs. The site will be maintained and beautified.

- **Q.** (CA) Where are the enclosures to the garbage dumpsters? I can't see any.
- **A.** (JG) It will be a fenced- in enclosure with dumpsters in it. Also, the trucks visible on site are not there permanently.
- **Q.** (BMc) Is there a vacuum and air still on site?
- **A.** (JG) Yes. We are proposing it to be planted as a buffer to the residential area.
- Q. (KS) Are they going to repave the site?
- **A.** (JG) Yes, I imagine it will be a BSA requirement.

Comment by Phil Konigsberg - (PK) The yellow cargo container in the photo looks like it's a temporary fixture, but it's been there for months?

- **A.** (JG) It is temporary, and we will be required to remove it.
- Q. (CA) What's the lighting going to be on the site?
- **A.** (JG) Lighting hasn't been finalized as yet, but there won't be much. It will be focused away from the residential property and with no lighting in the grassy area. It will focus on the property itself.
- **Q.** (KS) Explain to the members the glass enclosure with tables.
- **A.** (JG) This is so people don't eat and idle in their cars.
- **Q.** (JC) Is there a rodent problem? Will there be rat traps spread where the garbage containers are?
- **A.** (JG) We'll have rat traps and all the necessary precautions to make sure it's safe and clean.

PUBLIC COMMENT: No comment from the public.

Committee Chair Kevin Shields gave his report on the October 24th virtual committee meeting with seven board members present. The issues were discussed with no complaints registered in the end. Board member Lei Zhao made a motion to approve the proposal. The motion was then approved Seven to One.

The motion this evening is to extend the term of the variance for another 20 years for the convenience store, add one additional parking space, add an enclosed glassed in walkway with tables, and plant a buffer of trees between their site and the resident next door.

Comment from First Vice Chair Apelian – I have some issues with this. I'm concerned with the fence that hasn't been maintained and needs painting. I haven't seen a lighting plan. I don't like the situation with the garbage which must be better contained and maintained, and I'm not happy about the shoddy front with possibly more seating in that area. I believe this application may be incomplete as is right now.

A. (JG) I don't disagree with you. Every time it's painted, graffiti comes right back. As part of the plans, we propose to add the safeguards to protect the neighborhood as well as beautify the site. We've been good neighbors the past few years and hope to maintain the relationship. The site will be upgraded and maintained with the terms and conditions set by the BSA. Your board is very active and I told my client that some of the proposed plans would be required by BSA prior to their approval.

Comment from (CA) The problem is that I'm not seeing it in the plans, i.e., the whole west wall, the garbage area, and the repairs, etc. Also, there aren't any notes about lighting, that the masonry wall is to be cleaned, and the additional fencing around the dumpster. There is more diligence in the BSA hearings and we would like to be more in lockstep with them.

DISCUSSION ON THE MOTION

- **A.** (JG) Lighting will not spill over, and the owner must maintain graffiti free property. There are other requirements from BSA. The canopy will be a regular roof and the front will be glass.
- **Q**. (BMc) So they are extending the building actually?
- **A.** (CA) They are not extending the wall. Just glass walls all around under the canopy.
- **A.** (JG) The 7'6" sidewalk will be enclosed in glass with an ice machine and tables.
- Q. (CA) And your ice machine?
- A. (JG) It'll either be brought inside or put on the side of the building.
- **Q.** (CA) Is the awning being removed with a new canopy?
- **A.** (JG) Yes, it will be a new canopy.
- **Q.** Yacov Pshtissky (YP) I think the biggest concern is the garbage and the dumpsters that need to be enclosed. How will they make sure the dumpsters are not left open for rodents and pigeons?
- **A.** (JG) We'll have rodent control to prevent that from happening.
- **Q**. Sergio Nicholas (SN) On Lot 7, are they going to break up all the concrete to plant grass, since he really isn't maintaining the sidewalk? Also the wall is in bad shape with weeds all over.
- A. (JG) Yes, and we'll remove all the debris. Again the whole idea is to upgrade the site.
- **Q.** Kim Cody (KC) I don't know what they were storing in the yellow container, but where are they going to store the contents?
- **A**. (JG) They'll be throwing stuff out and the remainder will be reconfigured and stored internally. Comment by (CA) I think the committee needs more specifics on lighting, paving, graffiti, garbage, etc. Chair Kelty I personally don't think this is ready for a final vote. I'm putting out a motion to table this and come back with it on December 7th at our next hearing with clear answers to all our questions.

The motion is to table the applicant's proposal for further review at our next Public Hearing which is scheduled for December 7th. The motion carried unanimously (39) For (0)

The applicant's attorney, Mr. Jay Goldstein, asked for a new committee date before the next Public Hearing and was told by First Vice-Chair Apelian he will be given the earliest day possible. Mr. Goldstein said January would be fine, since they have no hearing date from BSA as yet.

122-10 31st Avenue, College Point, NY- ULURP (CEQR #19DOOSOO5Q Committee Chair Frank Macchio DSNY proposes to acquire an approximate 37,590 sq. ft. parcel in the College Point neighborhood of Queens for use to store vehicles as overflow parking for Queens District 7/7A Garage across the street. DSNY has occupied the site since 2015 under a license agreement to alleviate parking demand from Mayoral Executive Order #161 of 2012 on fleet consolidation whereby the Queens #7 Garage also services some other agency vehicles from the vicinity, notably Dept. of Parks & Recreation and Environmental Protection. DSNY would store approximately 16 to 24 collection trucks and condemned vehicles pending relinquishment. The site is paved with no construction proposed.

Committee Chair Macchio described the above description a little misleading. It's not acquiring land. It's a 5 year lease. It's a ULURP being moved forward by DCAS for DSNY. It's short of an acre covered in Black top with nothing built on it. The committee met virtually on Oct. 13, 2020 with representatives from DSNY. The parcel will become part of the maintenance depot operation and other repair work that's already in the area. Currently the repair garage is out of service and is under repair for the past year or so. Our concerns were what this lot would be used for, what kind of vehicles, frequency, volume, etc. After a long discussion, we voted to table it with a new virtual meeting reconvened for Nov. 5, 2020 with their representative, Jonathan George of DSNY's Real Estate Dept. who gave an overview of the site as follows:

The second virtual meeting of the site.

- 3 lots, zoned M2-1, in a Special College Point Zoning District.
- 16-24 trucks stored on the lot in use since October 2015 with an agreement with a private owner.

Current operations a Queens 7 Garage Complex.

- The facility is 135,000 sq. ft. collecting 1,775 tons of curbside refuse for 248,000 residents in Queens Community Board #7.
- Mechanical Broom Annex is a 1-story 36, 4000 sq. ft. facility.
- Q7 Garage serves other agencies from this part of northern Queens (Parks & DEP primarily).
- Construction on the garage is ongoing until 2022, with personnel displaced.

ULURP Progress.

- Filed on July 1, 2020 with DCP.
- Certified on 9/14/2020.
- Community Board Committee on October 13, 2020.

Committee Chair Macchio added that a Phase 2 environmental study is not required since DSNY does not own the property.

DISCUSSIONS & QUESTIONS:

- **Q.** Millicent O'Meally (MO) What's going to happen to the vehicles owned by the Dept. of Parks and Dept. of Environmental, etc.?
- **A.** They do repair their vehicles from time to time, but not an overwhelming number, but is part of the mechanical services provided for the City.

Comment by Chair Kelty who stated this question arose during the meeting and the explanation given was that Bloomberg passed a law that larger facilities should help out smaller facilities. However, the DEP uses it mostly, not Parks.

Comment by First Vice-Chair Apelian reminded everyone this is a ULURP, not a variance, with a long term lease and requires the full public review process.

- **Q**, Kim Cody (KC) On the relinquishment of condemned vehicles, is there a time limit for the vehicles to be there? Or are we going to wind up with another junk yard?
- **A.** (FM) This was primary to our meeting. One of our stipulations was that no vehicle can sit there more than eight weeks, and out-of- service vehicles should be removed from the lot. That was Gene's doing.
- **Q.** James Cervino (JC) Did they submit a new traffic study like the one given when the Marine Transfer and the Police Pound were built?
- **A.** (JGe) Yes, that would have been included in the Environmental Impact Study. There was no adverse impact on the traffic as a result of the continued use of this lot.
- **Q.** First Vice Chair Apelian (CA) To Jim Cervino –Since this lot is being used currently, is there something you see differently that we're not seeing?
- **A.** (JC) No, but with the increase in population with the new homeless shelter, it's impossible to walk or bike with the sanitation, asphalt, concrete, container truck traffic, other businesses, and now tow trucks bringing in damaged vehicles from the City. Just recently a pedestrian was hit in traffic there. Residents are being overwhelmed and have not been able to voice their concerns. No impact on traffic? I beg to differ!

- Q. Warren Schreiber (WS) Is there an automatic renewal clause on the five year lease?
- **A**. (JGe) Not at this time.
- **A.** (FM) That would have to be part of the term lease, which it is not.

Comment by (WS) An automatic renewal would be good for DSNY to have.

First Vice Chair Apelian (CA) This is a five year lease with no renewal.

Chair Kelty (GK) My concern is with our earlier facilities, when other City agencies started with leases and then eventually into condemnation proceedings in the fourth year in order to acquire the land before the lease expires. Is that correct?

A. (JGe) We'd have to reassess at that point, but have no plans to do it at this time.

Comment (GK) I'm very concerned our District is becoming a dumping ground for the world's problems. I saw trucks belonging to Manhattan, Brooklyn, etc. I want assurance the eight week window is adhered to with constant in and out rotation and nothing sitting there with grass growing under it.

A. We understand your request, which is included in your proposal, and will do our best to comply.

Comment (GK) Doing your best isn't reassuring to me. Remember the Marine Transfer Station.

Comment (CA) Gene wants to hear that you will **comply**, not do your best. (*For the general public, the condemnation procedure won't happen overnight or at the last minute. It must go through the property owner and the process takes time.)*

Comment (FM) Within that time, the repair of 40,000 sq.ft. garage slab will be fixed.

- **Q**. (KC) If there's a condemnation procedure, will CB#7 be notified when it starts?
- A. (CA) If there is one, we'll figure it out. Not sure it's an official process or not.
- **Q**. (BMc) How will you track and monitor the 8 week window? Who's going to enforce it? It could be there for three months and you wouldn't know it.
- **A.** (FM) It will be incumbent on us to know. A group of us will have to do the job.

PUBLIC COMMENT

Speaker **Tom Palma-**(TP) Whitestone Civics- Concerned over the amount of trucks towed using 31st Ave. Would prefer they came in from College Point Blvd. to prevent the street from constantly sinking?

- A. (FM) A good number of vehicles will drive in under their own power for preventative maintenance.
- A. (TP) Also curtailing the volume of buses and trucks coming down 30th Avenue would help.

Speaker **Mr. Brock** - College Point Civics-We need more Sanitation enforcement and cleanup in our area especially since there is extensive roadwork and construction on College Pt. Blvd. with sloppy clean-up, looks very dirty, and makes it hazardous to the residents in the community and visiting shoppers.

COMMMITTEE REPORT by Committee **Chair Macchio**: After several hours of deliberation, we made the motion to approve the lease with the following stipulations put forward by Fourth Vice-Chair Lei Zao and seconded by Pablo Hernandez was **Six to One**.

- To be used primarily for CB 7 equipment and trucks before all other agencies.
- Trucks & equipment cannot remain in lot more than 8 weeks, especially vehicles for auction.
- DSNY shall keep equipment and traffic off local street s as much as possible.
- Additional Street cleaning constantly up and down College Point Blvd. twice weekly.

Comment by **Chair Macchio**- The out-of-service equipment auctioned by DCAS must also be removed in **8 weeks** since this industrial area sometimes becomes a dumping ground, and it was made clear to DCAS.

The motion on the floor is to approve the Lease and Uses with the 4 stipulations above and the additional two stipulations discussed below.

DISCUSSION ON THE MOTION:

Chair Kelty thought since the business and civic groups had concerns about the traffic on 30th Ave., maybe a friendly amendment to have access and egress be on 31st Avenue would be agreeable. Committee **Chair Macchio** and the **applicant** accepted this friendly amendment as **Stipulation #5**.

- Q. (JC) Can we get street cleaners and enforcement to address illegal dumping?
- **A**. (CA) That was already one of our recommendations.
- **Q.** Millicent O'Meally- I'm not sure of the route taken, but I know the police use 32nd Avenue a lot: Comment by **Chair Kelty** addressing (**JGe**) wants it clearly understood commercial trucks should not use 32nd Avenue to travel east. It is a residential street. We're not talking about garbage pickup, but about commercial vehicles, tow trucks, etc. to and from this site, and added to the motion as **Stipulation 6.**

The vote taken on the motion carried (37) to (2).

PUBLIC PARTICIPATION

Speaker Adrian Cheung spoke City Council Bill #INT-1116-2017NYC limits the number of permits for street vendors. A black market emerged with a \$25K price tag with no enforcement. A proposal to Increase permits with enforcement would help, especially immigrants. NYPD does not have proper public health experience and a large number of vendors do not change gloves after handling. Please send a letter to Councilman Paul Vallone to support this bill.

Speaker Mike Niebauer, College Pt. Board of Trade. Couldn't make last week's meeting due to a doctor appointment, I'd like to see a copy of the Lease. Thank you CB 7 for your service.

Speaker Archer Lee from Glow Community Center personally confirming they are hosting another event on Friday, 11/13/20 for a Free flu shot to anyone over 3 years plus. Need just your ID.

Q. Do you have the senior citizen flu shot? A. Call us at 718-359-1888 to find out.

Board member **Pablo Hernandez**-When I questioned my doctor, he said you receive double the dosage versus everyone else; and Board member **Arlene Fleishman** confirmed his statement.

Maggie Wong, Board member. Charles B. Wang Health Center gave 115 flu shots to the community already and are having another event on 11/15/20. Call us at 929-362-3020.

The meeting adjourned at 9:15 pm.

Respectfully submitted,

Mary Zuliani