



# Community Board 7

## Borough of Queens

Bay Terrace, College Point, Beechhurst, Flushing  
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Donovan Richards, Jr.

*Queens Borough President*

Eugene T. Kelty Jr.

*Chairperson*

Marilyn McAndrews

*District Manager*

COMMUNITY BOARD #7 PUBLIC HEARING & REGULAR MEETING

MONDAY, FEBRUARY 8, 2021

AUDIO AND VIDEO TELECONFERENCE

### PRESENT

Charles Apelian  
James Cervino  
Kaily Cheng  
Michael Cheng  
Chin-Hsiang Chiang  
John Choe  
Kim Cody  
Nicholas Corrado  
Arlene Fleishman  
Richard Forman  
Fred Fu  
Doreen Gatanas  
Vincent Gianelli  
Pablo Hernandez  
Lawrence Hughes

Eugene Kelty  
Phil Konigsberg  
Esther Lee  
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  
Harpreet Singh Wahan  
Clarissa Wong  
Maggie Wong  
Dian Yu  
Linna Yu  
Lei Zhao

### ABSENT

\*Jeff Huang  
\*John Tsavalos

Wensong Li  
Peter Tu

\*Belal Salim  
Jie Zhu

### COMMUNITY BOARD #7 STAFF

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

### GUESTS

Susan Liu-Congresswoman Grace Meng's office  
Mabel Tso-Congresswoman Alexandria Ocasio-Cortez's office  
Akshar Patel-State Senator John Liu's office  
Amanda Katz -Assemblyman Edward Braunstein's office  
Destiny Batista-Assemblyman Daniel Rosenthal's office  
Jessica Schabowski- Mayor's Community Affairs Unit

Vito Tautonico-Councilman Paul Vallone's office  
Joonyong Ahn-Councilman Peter Koo's office  
Elizabeth Bian-Queens District Attorney Katz's office  
Katherine Brezler-Queens Borough President's office  
Vanessa Ordonez-Queens Borough President's Office

**\*Excused**

Chair Gene Kelty opened the February 8, 2021 meeting at 7 pm via audio and teleconference. He thanked all Board members in attendance this evening. All those present stood to Pledge Allegiance to the Flag in honor of our country and to our service members who protect our freedom daily. Let us honor them for every day we live in freedom because of their sacrifices.

The Chair took attendance with **(44) Present (3) Absent (3) Excused \***

ELECTED OFFICIALS

**Susan Liu - Congresswoman Grace Meng** announced that Friday, February 12<sup>th</sup> is the first day the IRS begins processing tax returns. If your income is below \$60,000, you can file for free.

**Mabel Tso - Congresswoman Ocasio-Cortez** will host a virtual town hall tomorrow February 9<sup>th</sup> at 6:30 pm with City and State representatives to discuss the rollout of COVID-19 vaccines and take questions from constituents. If you cannot attend, our recording will be available on our YouTube page:

@RepAOC [https://www.youtube.com/channel/UC6XBnYptBnproA\\_ydn-b0A](https://www.youtube.com/channel/UC6XBnYptBnproA_ydn-b0A). or you can sign up for our newsletters for all our event listings in English <https://ocasio-cortez.house.gov/contact/newsletter-subscribe> or Spanish <https://ocasio-cortez.house.gov/contact/boletin-espanol>.

**1) Legislative updates: Congresswoman Ocasio-Cortez** together with Congressman Bowman and led by fifty-two House Representatives sent a letter to HUD and the Treasury to repeal the guidelines delaying emergency rental assistance. Many on the verge of eviction will need help immediately.

**2) FEMA Funeral Relief Assistance** the Congresswoman put together with Majority Leader Schumer and Representative Lee will soon be available to constituents when the process is announced with program details.

**3) Constituent Services – The Small Business Development Center** at LaGuardia Community College is now able to assist with the SBA, PPP and EIDL applications. They have advisors that speak Spanish, Mandarin, Korean, Bengali and Hindi. You can reach out at [sbdc@lagcc.cuny.edu](mailto:sbdc@lagcc.cuny.edu) or **718/482-5962**.

**4) Congresswoman Ocasio-Cortez** will be hosting **Wounded Warrior Fellow**. The fellowship program will fund a veteran for a two year period as a caseworker and field representative with our team based out of our district offices in Queens and the Bronx. The position pays \$52,000 per year with benefits. To review eligibility requirements, visit [www.usajobs-jobannouncement](http://www.usajobs-jobannouncement) or visit our Congressional website.

**5) Congressional Art Competition** – This year they are participating in the nationwide high school competition hosted by the Congressional Art Institute. In collaboration with art teachers across our district, High school students will have their entries submitted to the Institute where a panel will select the winning art piece to be displayed in the halls of the U.S. Capitol Building. High School students interested should reach out to our office and speak to Destiny Cruz at **718/662-5970**, who will be coordinating the event or e-mail her at [destiny.cruz@mail.house.gov](mailto:destiny.cruz@mail.house.gov).

**Akshar Patel – Senator John Liu’s office** – Dept. of Finance’s event for homeowner/renter information being held on March 4<sup>th</sup> at 3 pm. Will send flyers to Board office for distribution.

**Amanda Katz**– Assemblyman Ed Braunstein office –We are working remotely. Call us and we’ll get back to you. No announcements at this time.

**Destiny Batista** – Assemblyman Dan Rosenthal’s office - No announcements, but you can call us any time at 718-9691508.

**Vito Tautonico** – Councilman Paul Vallone’s office – No updates.

**Joonyong Ahn**– Councilman Koo’s office – No updates.

**Kat Brezler** – Borough Pres. Donovan Richard:

**1) Community Board application deadline** is **Feb. 19<sup>th</sup>**. Applications available in Spanish & English at <https://www.queensbp.org/community-boards/>.

Group interviews will be scheduled after the deadline.

**2) Small Business Grants** are available for Queens's small businesses in need of up to \$20,000 to support operational expenses. <https://www.queensbp.org/smallbusinessgrant>.

**3) CitiField** will open as a mass 24-hour COVID-19 vaccination site on **Wednesday, February 10<sup>th</sup> to Saturday, February 13<sup>th</sup>** with half being for eligible Queens residents and other eligible populations, and the remaining half for licensed TLC and food delivery workers. You need to make an appointment by email. <https://www.nyc.gov/vaccinefinder>.

COMMENTS & QUESTIONS:

**Chair Kelty (GK):** I'm not happy with results on finding vaccination sites. Also, because CitiField is in our district, I hope residents in our community are prioritized to receive the vaccine first, over other Queens's areas.

**Phil Konigsberg (PK):** Will it be for 24/7 or end Saturday for sure?

**Kat Brezler (KB):** No, not 24/7. I'll get all the details and put it in the chat.

**GK:** If it's first come, first served, people will be waiting in line. It will be tough on elderly and disabled people unless they have chairs and benches.

**KB:** I've brought this up to NYCHH and requested ADA compliance and alternate lines, but haven't seen it.

**Pablo Hernandez (PH):** They did it in the Bronx also and it was a disaster. Elderly people had to stand for hours at Yankee Stadium in the snow. We need to make sure it doesn't happen here.

**Warren Schreiber (WS)** Lets clarify this! People have to make an appointment. It's NOT first come first served. The site will be open 24 hours a day, but not 7 days a week.

**KB: You are correct. You must sign up!**

**GK:** You mentioned other extenuating circumstances?

**KB:** On the 15<sup>th</sup> we will open up for people with specific medical conditions, chronic illnesses, obesity, etc. who are more at risk for COVID-19.

Comment from **Michelle Miao (MM):** The vaccine is critical for seniors who lack computer knowledge or a computer and need help from their kids, who may not live in the area.

**Q. How will the City provide the assistance they need.**

**GK:** The telephone number is **877-VAX-4-NYC** for vaccine appointments!

**ANNOUNCEMENTS:**

**Speaker Elizabeth Bian** from Queens District Attorney Melinda Katz's office. Human Trafficking Awareness Webinar will be on the end of January. If you know someone who is a victim, or want to report suspicious activity, please contact the Human Trafficking Bureau at **718/286-6548**. Also the Lunar New Year Celebration is on February 18<sup>th</sup> from 5 to 7 pm with our honorees and special performance. Please call us at [www.queensda.org](http://www.queensda.org) to register.

Board Member **Nick Miglino** passed away in April 2020. Unfortunately, we never were notified until now. He was the Board's legal advisor for years as well as on the Youth & Education committees. He was in a nursing home in Flushing after falling and eventually developed dementia. He was appointed by Claire Shulman in 1996 due to his outstanding record on civic affairs. As a lawyer he also did pro-bono work for many friends and civic associations. Over the years we lost contact with his family until now. He was a good friend to all of us, and now in a better place. God rest his soul.

**Sanitation Garbage Complaints**– With snow, DSNY takes care of plowing and collecting garbage. Give DSNY some slack until the winter season is over. Sanitation workers who collect trash and recycling are the same men who plow our streets, so delays are inevitable. However, we will still keep them posted, and ask for your patience. Due to current **snowfall**, as well as **Lunar New Year and President's Birthday**, alternate side parking is suspended until **February 13<sup>th</sup>**.

**Queens Botanical Garden** welcomes us to **Lunar New Year** and **Black History Month** and **Seasonal Events from Feb.6 to 28**. Pick up our free monthly activities booklets and join us each day during mid-winter recess to celebrate Black Botanists, Art in the Garden, and Teacher Workshops and more.

**Korean Taekwondo**- For quality time exercising safely with your kids, check out Int'l Ministry Bldg. at 130-30 31st Avenue, lower level, Flushing... or visit [www.utu.be/fxrcueistak.org](http://www.utu.be/fxrcueistak.org) for more info.

**Work Well NYC** celebrates all matters of the heart, given that one out of four New Yorkers have high Blood pressure and unaware of it. However, it's the leading cause of heart disease. See a doctor, eat properly and exercise, and ask for help at [www.workwell.nyc.org](http://www.workwell.nyc.org) to succeed.

**NYCEAP** – Contact them for assistance looking for a job by calling them at 212/306-7660 or visit them at [www.eap@aol.com](http://www.eap@aol.com).

**Flushing Town Hall at Home** – The Lunar New Year Chinese Temple Bazaar is **February 14<sup>th</sup> at 2 pm** on You Tube. This year we are celebrating the Year of the Ox with traditional folk dances, hand puppetry, cooking demos, a comedy performance, paper-cutting demos, and more. **On February 10<sup>th</sup> at 7 pm** is the Louis Armstrong Legacy Virtual Jazz Jam on Zoom and Facebook Live, led by C. Sudhalter and the house band. The jam welcomes jazz jammers from Queens/Long Island and newcomers from around the world. **On February 18<sup>th</sup> at 7 pm** a tribute to the Music, Life & Legacy of Sarah Vaughan highlighting her music and struggles of an African American Jazz Icon. **On February 26<sup>th</sup> at 7 pm** a tribute to Frederick Douglass: Mine Eyes Have Seen the Glory.

**Lewis Latimer House Museum** – A four-session writing workshop on memoir and autobiographical writing focusing on race and immigration open to eight writers of all levels of experience on Saturdays, 3/6, 3/20, 4/3, 4/17. Prior meet-up is February 27<sup>th</sup> with Public reading 5/1 from 2 to 4:30 pm. Applications due February 15<sup>th</sup>. Visit [info@lewislatimerhouse.org](mailto:info@lewislatimerhouse.org) for an application.

**Main Street Busway** –On **February 8<sup>th</sup>** cameras along Main Street & Kissena Blvd's busway corridors will be activated to provide enforcement of posted regulations. Warnings will be issued first, and thereafter fines of \$50with increases for repeated offenders. Councilman Koo, the BID and our Board fought it, but the DOT went ahead with it. To leave Main Street you can only make a right, and may cause traffic problems to the side streets. Time will tell. Comment from **Frank Macchio** (FM): It was on the News. They expect it to hurt retail somewhat. Comment from **Chair Kelty**: The DOT has never listened to this Board or elected officials. *The old adage is you can take a horse to water, but can't make them drink.* Our suggestion, however, was to give summons to people parking in bus lanes.

**JANUARY 2021 MINUTES** – Phil Konigsberg made the motion to approve the minutes seconded by Warren Schreiber. The motion was approved unanimously by all board members present.

P U B L I C H E A R I N G

**ITEM #1 153-37 CROSS ISLAND PARKWAY, WHITESTONE – BSA# 7-95-BZ –Committee Chair Kim Cody -** *Application requesting amendment of previously granted variance allowing the operation of a physical culture establishment (PCE) at subject premises, The Whitestone Shopping Center. The amendment is to relocate the PCE to another space at subject premises. Application also includes a request to extend the time to obtain the Certificate of Occupancy.*

**Committee Chair, Kim Cody** and his committee held their meeting on January 23, 2021 with **Frederick Becker**, the attorney for the applicants: New York Sports Club and Redmont Realty LLC, shopping center landlord. **Mr. Becker** gave the following presentation:

The NYSC is currently located in **Bldg. E**, a small triangular building which may be demolished by the owner of the shopping center. The shopping center wants to relocate the NYSC to **Bldg. B**, also irregular shaped, which they've tried to rent the past couple years but is too large for retail. The relocation will have no negative consequences, i.e. it leaves the tenant on the lot with no need for additional parking because **Bldg. E** will be demolished and leave legal excess parking on site. Under current and future economic conditions, no changes will be made in manner of operation, hours or days. This should help the community and keep current tenants in place. **Chair Cody** described the current building as three stories, two stories and a basement. The new location is only one story, actually smaller, more handicap friendly, and needs less parking requirements. The applicant has already signed a lease with no additional requests made regarding the operation of the physical culture establishment. However, we have no guarantee **Bldg. E** won't be redeveloped. **Kevin Shields** added that sports club users take up parking spaces for long periods of time.

DISCUSSION/Q&A

- Q. Warren Schreiber (WS):** Shouldn't the application be coming from the NYSC and not the shopping center owner?
- A. Frederick Becker (FB):** Application is always filed officially by the owner, not the tenant. In this application the owner has given permission to the tenant to participate.
- Comment by Vice-Chair Apelian (CA):** There's been discussion the shopping center is going through renovation and expansion. I will be in touch with you about the landlord's vision of the future.
- A. (FB):** My pleasure. We are more than willing to meet and discuss it with the board members and the community to give you an idea of what's happening.
- Q. Phil Konigsberg (PK):** Are tenants in **Bldg. A** aware of this proposed move? Will people coming to vendors in **Bldg. A** have difficulty with parking?
- A. (FB):** No, since this hasn't been approved by BSA and assume the vendors have no knowledge of it as yet.
- Q. Pablo Hernandez (PH):** How long will this take and what time of year will they be back in operation?
- A. (FB):** We don't have a hearing date as yet and may not happen until July/August. It would then take a year to construct this space. Permits and plans need to be filed. We're probably looking at a year plus and another two years for completion.
- Q. Chair Gene Kelty (GK):** I'm somewhat concerned. Is there any rear access on 14<sup>th</sup> Avenue?
- A. (FB):** The only access is the single entrance from the shopping center. No other entrances from the center.

**Comment from (GK):** I pass by quite often **Bldg. A** has a high turnover so parking will be severely impacted since NYSC customers will be parking for more than 10 to 15 minutes. The owner of the property should make the tenants aware of this. The NYSC created parking problems where they are now for the liquor store and T-Mobile.

**A. (FB):** I understand and appreciate that and will notify the owner of both your concerns and the Boards.

**Q. Kim Ohanian (KO):** I don't know if I should ask, but wouldn't it make sense to have an entrance on the other side of the building for fire safety?

**A. (FB):** I understand, but the building has sprinklers, audio/visual alarms, and adequate egresses. There was never a rear egress from the previous location, just a straight path from within the space to the exit.

**Q. Chuck Apelian (CA):** Question directed to **Nick Corrado** who is with the Fire Dept. Do we need two exits for this?

**A.** I would have to refer to the fire code. Mr. Becker is maybe referring to entrances for the public. There's probably an exit in the rear. I can't verify the building code verbatim, but the Fire Dept. will do inspections to see everything's up to code. Permits will not be given without approval.

**Comment by Chair Kelty.** It is fully sprinkled also.

**Comment by Paul Rifino (PR):** Both are correct. You need the square footage and the sprinklers, but not sure it's grandfathered in.

**A. (FB):** There's no chance of this getting through DOB without an egress plan.

**Comment by (PH):** It's not so much about square footage and more to do with flow of crowds. Public Assembly plans need to be drawn and approved. DOB enforces the laws, not FDNY, and must confirm the flow complies.

**Q. Betsy Mak (BM):** It looks like an antenna/cell tower in the rear. Do people need a gate to get out? and wasn't there a Rite Aid there?

**A. (FB):** No, the exit is below the cell tower area. The Rite Aid moved to **Bldg. C**.

**Comment by (KC):** Referring to Phil's question re: **Bldg. A**, many stores haven't had their leases renewed. Hallmarks is going out of business. Some are going forward with month to month arrangements.

**Q. (CA):** Have the leases not been renewed on your landlord's end or the other way around?

**A. (FB):** I can get you the answer on this.

**Comment by (GK):** I believe it came up when they planned to redevelop the complex, which is why some didn't renew.

#### **PUBLIC COMMENT by Alfred Centola**

I'm in touch with several owners in the center. The company hasn't been renewing leases. They've been kept in the dark from management. Many stores are contemplating closing because they don't know what will happen to their leases. Mr. Becker related my concerns to management and received no reply regarding maintenance, graffiti, snow removal, garbage, and lack of lighting which is the most serious problem. The attorney did mention they're demolishing the gym building, but also said they would build something in the same spot.

#### COMMITTEE MEETING

There was no public participation. **The motion was made by Lei Zhao to approve seconded by Barbara McHugh. The vote was unanimous to approve.**

DISCUSSION ON THE MOTION

**Q. (CA):** Point of clarification, because of the move, is it the same application or does it have to be a new one?

**A. (FB):** Same one, because the variance applies to the entire shopping center, so it comes in as an amendment.

**Comment by (PK):** In a Public Hearing process for a one way street, we would have to advise those living there of the change. This was my point about the merchants in **Bldg. A**. They should have been at this meeting today.

**Comment by Josh Sussman (JS):** I agree with Phil. Can we table this?

**Q. (CA):** To Kim Cody – Were fliers handed out?

**A. (KC):** No, not to my knowledge. I did not hand out fliers, but spoke to some owners there.

**Q. (CA):** To Josh Sussman – Do you still want to table?

**A. (JS):** YES, I make the motion to table.

**Comment by Frank Macchio (FM):** But it's a PCE asking to continue in the same center in another area.

**A. (CA):** I agree with you, but protocol says if there's a motion to table, it takes precedence.

**The motion on the floor by Josh Sussman is to table the application.**

**The vote taken to table was (16) For (25) Against**

**The motion going forward now on the floor is to approve the amendment to relocate the PCE to another space at subject premises, including the extension of time to obtain the Certificate of Occupancy.**

**The vote taken to approve was (39) For (3) Against (8) absent from voting**

**ITEM #2 - 131-02 40<sup>th</sup> RD., FLUSHING - (SOC) Special Order Calendar - BSA #2016-4340-BZ-Committee Chair Pablo Hernandez** – *Application Seeks amendment for proposed plan changes to the subject Airport Obstruction Special Permit originally granted on .2/13/2018 pursuant to ZR 73-66. Proposed height of buildings (three towers) and all appurtenances to change from BSA approved maximum of 228' (NGVD/AMSL.) TO MAXIMUM OF 243' (NGVD/AMSL.), as per revised and updated FAA Determination of No Hazard to Air Navigation.*

**Chair Pablo Hernandez (PH)** and his committee held their committee meeting on Jan. 26, 2021. He introduced the attorney, **Vincent Petraro (VP)** this evening who gave the presentation with the architect, Ning Lu (NL). The FAA Determination of No Hazard approved the early design of the building 3 years ago in 2018 for the height of 228 ft. Since that time FAA increased the maximum height regulation to 243 ft. This special permit for height increase is for structural and programmatic reasons, but the rest of the project can be built as-of-right. The FAA issued a thorough analysis and PANYNJ had no additional comments and accepted their findings. The hotel tower will now be 238 feet and the residential tower 241 feet.

DISCUSSION/Q&A

**Q. Lei Zhao (LZ):** Can you give us details about the added height?

**A. Ning Lu (NL):** When the application was originally filed, we were in the early stage of design. Going forward and coordinating mechanical and electrical tradesmen, we realized some aspects were not taken into consideration so some minor changes had to be made to the programming, as follows:

1. Residential elevator overrun wasn't properly budgeted. Previous applications of 15ft. actually need 18 ft. of bulkhead with an additional 1 foot.
2. For residential and hotel uses, the mechanical coordination wasn't fully incorporated, including a transfer floor at the top.
3. FAA signal lines need to be 18 inches above previous BSA approved reference elevation.
4. Hotel, façade maintenance, cooling towers and damage support would require 19 ft. above prior considerations.
5. Mechanical equipment needs to be screened from public view and adjacent residential units.
6. Hotel branding required higher ceilings for public functions, hence the need to increase some slab to slab heights. The 9'4" high guest rooms have to be increased slightly for duct work, etc. All these changes were unavoidable due to mechanical and program needs so an amendment was made and FAA approved it.

**Q. (LZ):** How long is current FAA Determination of No Hazard valid for?

**A. (NL):** It was approved in March 2020.

**QUESTIONS:** None from the public

**Committee Chair Hernandez** gave his 1/16/21 report followed by the committee motion.

**Joe Sweeney's motion to approve the application was seconded by Rev. McEachern.**

**The vote taken was to approve 9 to 0.**

**DISCUSSION ON THE MOTION**

**Q. Betsy Mak (BM):** Did the number of floors change?

**A. (CA):** NO.

**The motion on the floor now is an amendment to change the original maximum height of the building from 228 ft. to a maximum of 243 ft., as per revised and updated FAA Determination of No Hazard to Air Navigation.**

**The vote on the motion was to approve (37) For (5) Against**

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

**Q. Speaker Kevin Morris:** Has CB #7 considered the City Council initiative called Planning Together to take over the planning process from City Planning, Zoning or the Regional Planning Association?

**A. (CA):** We just received the notice today put forward by the Speaker. Doesn't look exciting from our standpoint.

**Meeting adjourned at 9:05 pm with the First Vice-Chair wishing everyone a Happy Valentine's Day.**

Respectfully submitted,

Mary Zuliani, CB #7