



Community Board No. 5

Borough of Queens
Ridgewood, Maspeth, Middle Village and Glendale
61-23 Myrtle Avenue • Glendale, NY 11385
(718) 366-1834
E-mail: qnscb5@nyc.rr.com



Vincent Arcuri, Jr.
Chairperson

Gary Giordano
District Manager

Minutes of Community Board 5 Public Meeting May 16, 2018

Board Members Present

Vincent Arcuri, Jr; Antonetta Binanti; Tobias Sheppard Bloch; Robert Cermeli; Walter E. Clayton, Jr.; Peter Comber; Brian Dooley; Jerome Drake; Dmytro Fedkowskyj; Sarah Feldman; Steven Fiedler; Mohan Gyawali-Chhetri; Fred T. Haller, III; Fred Hoefflerle; Richard Huber; Paul A. Kerzner; John J. Killcommons; Edward Lettau; Michael LoCascio; John Maier; Edgar Mantel; Katherine Masi; Eileen Moloney; Margaret O'Kane; Michael O'Kane; Donald Passantino; Michael Porcelli; Theodore M. Renz; Kelvin Rodriguez; Luis Rodriguez; Lee S. Rottenberg; Walter H. Sanchez; David Sands; Carmen Santana; Connie Santos; Christopher Sperrazza; Dennis Stephan; Catherine Sumsy; Barbara Toscano; Patrick J. Trinchese; Maryanna Zero

Board Members Absent

Deborah Cox; Patricia Crowley; Patricia Grayson; Kathleen Knight; Maryann Lattanzio

Elected Officials

Dom Capalbi – US Representative Grace Meng, 6th C.D.
Neil Giannelli - NYS Senator Joseph P. Addabbo, Jr, 15th SD
Mark Papish - NYS Assemblyman Brian Barnwell, 30th AD
David Renz – NYS Assemblywoman Catherine T. Nolan, 37th AD
Samantha Kung - NYS Assemblyman Michael Miller, 38th AD
Daniel Kurzyrna - NYC Council Member Robert Holden, 30th CD

Staff Present

Gary Giordano, District Manager, CB5 Queens
Laura Mulvihill and Catherine O'Leary, Community Associates - CB5Q Staff
Joseph Nocerino – Queens Borough President Melinda Katz
Joy Chen – Associate Planner-Queens, Dept. of City Planning, 120-55 Queens Blvd, Kew Gardens, NY 11424

GUESTS

Chae No, Community Liaison, NYC Dept. of Health and Mental Hygiene, 42-09 28 St, LIC, NY, 11101
Steven Sinacori, Partner – Akerman LLP, 666 Fifth Avenue – 20th FL, NY, NY 10103

Board Chairman Vincent Arcuri called the monthly Board Meeting to order at 7:37pm, following the Salute to the Flag.

The Board Chairman announced the first item on the Board Agenda as follows:

PUBLIC HEARING RE: Proposed M1 Zone Hotel Text Amendment - Application #: N 180349 ZRY

This proposed Zoning Text Amendment, of the NYC Dept. of City Planning, would introduce a Special Permit,

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under the jurisdiction of the City Planning Commission, for new hotels, motels, tourist cabins and boatels in Light Manufacturing (M1) Districts citywide.

Joy Chen, Associate City Planner in the Queens office of the NYC Department of City Planning, said that this proposal for an M1 Hotel Zoning Text Amendment would require developers to obtain a City Planning Commission Special Permit for new hotels within light manufacturing, or M1 Districts, citywide. She informed everyone that Special Permits are already required for new construction of hotels in Industrial Business Zones (IBZ), and a small portion of light manufacturing districts, under zoning guidelines that were adopted ten years ago when Industrial Business Zones were originally created.

Ms. Chen said that the purpose of this proposal is to limit the potential for conflicts between uses, as well as achieve a balanced mix of uses and jobs in neighborhoods, by ensuring that sufficient opportunities for industrial, commercial, and institutional growth remain.

Ms. Chen cited statistics from a recent market analysis that was completed in connection with this proposal, indicating that since 2010, there has been an increase in the number of hotels that are located in M1 Districts, particularly in areas near transit. According to these statistics, 13% of existing hotel rooms citywide are located in M1 Districts, whereas 30% of hotel rooms currently under construction are being built in M1 Districts. She said that there are currently 600 hotels in the city, with 116,000 hotel rooms, and another 24,000 hotel rooms are currently under construction, as compared to 84,000 hotel rooms that existed citywide 10 years ago. She said that if current hotel construction trends continue, an additional 10,000 hotel rooms citywide will be built in the next ten years, with the majority of them being built in light manufacturing districts in the outer boroughs, not in Manhattan as had been the case prior to 2007. Since early 2017, Queens has seen a 112% increase in the number of hotel rooms constructed in M1 Districts in the borough, as compared to the year before. And, she pointed out that most new hotel construction in M1 Districts occurred in the Bronx and Staten Island last year. Maps of the M1 District in the Board 5 area were distributed, showing the areas that would be affected by the proposed M1 Hotel Zoning Text Amendment.

As part of her power point presentation, Ms. Chen explained that as New York City's population and employment numbers hit record highs, competition for buildable land is increasing. Light Manufacturing Zoning Districts (M1 Zones) have emerged as areas of opportunity, presenting some of the city's last reserve of buildable land. Zoning regulations for land use development in these districts have changed very little since the city was comprehensively rezoned in 1961. Given the wide range of characteristics in the city's manufacturing districts and their location as potential areas to support economic opportunity and services for a growing residential population, the Dept. of City Planning has decided that the current proliferation of hotels in M1 Districts is problematic, due to land use conflicts, such as, dark streets and unpleasant streetscapes in most industrial areas, she said. She displayed several slides.

Ms. Chen said that the recent building trend in new construction of hotels is due to a combination of factors, including the tourism boom in New York City in the last 10 years. She said that 62.8 million tourists visited New York last year, as compared to 42.6 million tourists in 2005, which represents a 47% jump in the overall number of tourists visiting the City each year.

In addition, Ms. Chen explained that the current zoning framework makes M1 Districts especially favorable to hotel development because:

- Hotels are commonly developed to the maximum permitted Floor Area Ratio (FAR), often at odds with surrounding lower scale industrial uses in many M1 Districts.
- The height and setback regulations allow for tower development, and these tall, slender buildings often provide for efficient hotel layouts.
- Hotels can be developed on small, narrow lots, which are more widely available than large lots. Lot assemblages are not usually needed.

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- The zoning has low parking and loading requirements for hotels.

Ms. Chen said that, by establishing a new Special Permit under the jurisdiction of the City Planning Commission (CPC), the Dept. of City Planning proposes a case-by-case, site-specific review process to ensure that any further hotel development occurs only on appropriate sites, based on reasonable considerations regarding whether a hotel presents the potential for conflicts with the surrounding uses, and how well a hotel reflects the general character of the surrounding area. She said that a CPC Special Permit would allow for the consideration of appropriateness of hotel development in both the active light industrial areas, where hotels and existing uses are potentially incompatible, and the more mixed-use areas within M1 Districts, where the development conflicts can be minimized. A CPC Special Permit would also still allow for hotels to serve the needs of the tourism industry when appropriate, she said.

She explained that it is a legal obligation of the City to provide shelter to all eligible persons within the five boroughs.

Under the proposed M1 Hotel Zoning Text Amendment, Ms. Chen explained that new transient hotels will be permitted by Special Permit when the City Planning Commission finds the following:

- The proposed site plan includes elements that are necessary to address potential conflicts between the hotel and adjacent uses (i.e. access, orientation or landscaping).
- The new hotel development will not cause undue vehicular or pedestrian congestion on local streets.
- The proposed new hotel development will not impair the essential character or future use of the surrounding area.

Ms. Chen said that the proposed Special Permit will apply to all M1 districts citywide, except for MX or paired Manufacturing and Residential districts, and:

- M1 Districts that include airport property and non-residential M1 districts adjacent to airports. These M1 Districts have a unique economic function in NYC and provide essential airport services, and options for accommodations are among those necessary services.
- M1 Districts with existing hotel Special Permit provisions, since appropriate controls for hotel development have already been implemented for these areas.

Furthermore, she explained that existing hotels within M1 districts on the date of adoption of the proposed zoning text amendment will be considered a conforming use, meaning that any enlargement or extension would be permitted so long as it does not exceed 20% of the existing floor area and the zoning lot is not enlarged. Any enlargement or extension that exceeds 20% of the existing floor area would require the proposed Special Permit. Furthermore, any hotel developments that were issued a building permit or partial permit by the Department of Buildings before the referral date of the proposed action would be permitted to start or continue construction, as long as they complete their construction and obtain a certificate of occupancy within three years of the date of adoption of the proposed zoning text amendment.

In closing, Ms. Chen said that the proposed Special Permit is a discretionary action that is subject to the full Uniformed Land Use Review Process (ULURP), including Community Board review, Borough President review, City Planning Commission review, City Council and Mayoral review, prior to the issuance of a Special Permit by the City Planning Commission. She said that on Monday, April 23, 2018, the Final Scope of Work and the Draft Environmental Impact Statement was issued. She explained that the 60-Day Public Comment Period for the proposed Zoning Text Amendment began on April 23rd, 2018 and ends on July 2nd, 2018. The final step in the adoption of the proposed M1 Hotel Zoning Text Amendment is a vote by the NYC Council, she said. Copies of the power point presentation were distributed at the meeting.

The Board Chairman thanked Ms. Chen for her presentation and opened the floor to questions and comments.

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Chairman Arcuri asked how many of the existing hotel rooms in Queens are used by the Dept. of Homeless Services to house homeless people. Ms. Chen replied that she did not know, she would have to look into it.

The Board Chairman said that, according to the Map as presented, most of Long Island City and Rikers Island would be exempt from the proposed M1 Hotel Zoning Text Amendment. Ms. Chen replied that most of Long Island City has been designated an Industrial Business Zone, where the Special Permit process has been in effect for the past 10 years.

The Board Chairman asked if hotels are permitted as-of-right in commercial districts. Ms. Chen confirmed that hotels are permitted as-of-right in commercial districts. He said that at Monday night's Borough Board Meeting, many of the attendees recommended that the proposed zoning text amendment should apply to all zoning districts citywide.

Walter Sanchez commented that with a hotel industry that is currently booming, how is it that so many hotels in Queens have closed, and have been converted into homeless shelters.

Peggy O'Kane and Dennis Stephan, both CB5Q Board members, cited the section of the proposed M1 Hotel Zoning Text Amendment pertaining to transient hotels that are operated for a public purpose: "Transient hotels that are operated for a public purpose by the City of New York, or organizations under contract with City, will be exempt from the Special Permit requirement. Hotels operated for a public purpose are primarily used to provide temporary housing assistance, or shelter, to homeless individuals and families."

Mr. Stephan said that apparently, the City could work with a developer to build a 110-room transient hotel for about \$7 Million to \$9 Million, anywhere in the city. He said that if that's the case, there would be no need for public review. Ms. Chen said that she thinks that new construction of transient hotels would be subject to the proposed review process, but she would have to speak with her director to confirm it.

Peter Comber and Jerry Drake both asked for a point of clarification about the purpose of this public hearing regarding the adoption of the proposed M1 Zoning Text Amendment. The Board Chairman replied that the proposed zoning text amendment adds another layer to the review process for new applications to build hotels in M1 Zoning Districts to ensure that their plans meet the findings for a Special Permit before they proceed to build any new hotels, as-of-right.

Bob Cermeli commented that the purpose of a hotel is to cater to tourists, for the most part. He said that hotels that are built in manufacturing zones are likely to go bankrupt, primarily because of their location in industrial areas, which aren't attractive to tourists. He said that transient hotels that are built in industrial areas and are occupied as homeless shelters should be mandated to install a kitchen in each unit, at a bare minimum. The Board Chairman replied that the Dept. of Homeless Services is mandated to house homeless families in housing facilities that have kitchens in every unit.

Fred Haller said that he believes the current hotel occupancy rate is inflated by the City administration's policy of placing homeless families into hotel rooms. He said that the real question is whether any site that is chosen for a homeless shelter is appropriate, and fits in with the character of the surrounding area.

Patrick Trinchese asked why there are so many hotels that have been converted into homeless shelters in the past few years, if there's such a great demand for thousands of additional hotel rooms to be built in the city.

Richard Huber said the fact that tourists are increasingly relying on on-line reservation services, such as AirBnB, has not entered into this discussion, so far. He also said that the average hotel rates in Manhattan are

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unaffordable for most working people. The Board Chairman said that the City Council is currently considering legislation that would crack down on the proliferation of illegal rentals of residences through an online service.

Walter Sanchez and Paul Kerzner requested that the matter be referred to the Zoning and Land Use Review Committee for further consideration. The Board Chairman pointed out that the Queens Borough Board may be required to vote on this matter at the next monthly meeting in Queens Borough Hall, on Monday, June 11th. He said that most of the concerns that were expressed by Board members at tonight's public hearing were similar to those that were raised at their most recent meeting on Monday night. Joy Chen said that Community Board members could schedule a vote on this matter at their next monthly Board Meeting on Wednesday, June 13th.

The District Manager Gary Giordano said that the comment period on the proposed M1 Hotel Zoning Text Amendment runs concurrently for Community Boards and elected officials, which ends on July 2nd. He said that next month's Board Meeting on June 13th will include a vote on this matter by the full Community Board. He informed everyone that the Board Meeting will be conducted in the CNL Center on the 3rd Floor, (Door #10) of Christ the King High School.

As there was no further discussion on the matter, the Board Chairman referred the matter to the Zoning and Land Use Review Committee for further consideration and recommendation to the full Board at next month's Board Meeting.

PUBLIC FORUM

Adriana Carrasco, a resident of 65 Place in Maspeth, who lives opposite O'Neill's Restaurant, said that O'Neill's Restaurant is a family-owned restaurant that has always been very supportive of the community. She said that the O'Neill family has lived in the community for several generations. She said that she remembered when O'Neill's Restaurant was being rebuilt after a serious fire a few years ago, there were problems finding a parking spot on the street.

Amanda Reyes, representing Girls Scouts of Greater NY, asked if anyone would like to partner with her in opening a new Girls Scout Troop in Maspeth, or suggest a possible site that could host a new Girls Scout troop in the neighborhood. She said that she'd be happy to work with anyone to create a local Girl Scout Troop. For more information, she gave her email address: AREyes@girlscouts.nyc.org, and flyers were distributed.

Lenny Cisco, a Maspeth resident, spoke in favor of the O'Neill's Restaurant Rezoning application, by saying that it's been his favorite dining location in the neighborhood for many years. He said that finding on-street parking anywhere in Maspeth is difficult. He suggested that parking restrictions be relaxed in certain areas to allow for overnight parking, such as, in the Express Bus stops in Maspeth when these buses are not running, and on Maurice Avenue, particularly around Frank Principe Park in Maspeth. The Board Chairman welcomed him to attend the next Transportation Committee Meeting at 7:30pm on Tuesday, May 22nd, in the Board 5 office, where he could present his recommendation.

Barbara Murray, a Middle Village resident, requested additional traffic safety controls on 73 Place, south of Metropolitan Avenue. She said that there have been many traffic accidents on 73 Place, due to cars and trucks speeding in both directions on this 2-Way street. She said residents' cars that are parked on 73 Place and corner homes have too often been damaged by speeding vehicles, and worried that a small child may get hit by a speeding car. She submitted a petition signed by 50 residents and homeowners in the area, requesting the installation of several speed bumps on 73 Place, to discourage speeding south of Metropolitan Avenue.

Peggy O'Kane, a Board member, thanked everyone who came to her aid when she fell while leaving the building after last month's Board Meeting, particularly Fred Haller and Luis Rodriguez. She requested donations of clean sox to distribute to homeless individuals who receive daily meals at St. Matthias Church's Soup Kitchen.

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Christine Isherwood, a Maspeth resident, said that she is opposed to the proposed O'Neill's Restaurant Rezoning. She said that few people received notifications about the public hearing regarding this rezoning application. She said that finding a parking spot in this area of Maspeth is very difficult now, but with the planned expansion of O'Neill's Restaurant, the situation will only get worse. Furthermore, she said that a catering hall does not belong in the neighborhood, and submitted a petition with over 200 signatures of local residents who oppose the proposed rezoning application and building expansion that is planned on the site of O'Neill's Restaurant.

Walter Clayton, a Board member and member of the 104th Civilian Observation Patrol/G-COP (104COP), welcomed anyone over the age of 18 who lives within the confines of the 104th Precinct to attend tomorrow night's meeting of G-COP at 8pm in St. Pancras School, 68-20 Myrtle Avenue, in Glendale. He encouraged anyone interested in joining their organization to either speak with him after tonight's Board Meeting, or send an email to: info@104cop.org, or call their landline at (718) 497-1500.

The Board Chairman pointed out that he and Walter both responded to local emergency situations after last night's storm, by helping to clear fallen trees and clear debris from roadways in the Board 5 area. He said that 20 trees in Glendale, Maspeth and Ridgewood were toppled over and blocked local streets, due to high winds.

Tom McBride, a Maspeth resident, spoke in favor of the proposed O'Neill's Restaurant Rezoning by saying that their restaurant holds major fund-raising events every year, particularly for the families of volunteers and first responders at the 9/11 World Trade Center Disaster.

Eric Zajkowski, a Maspeth resident, said that he is opposed to the proposed O'Neill's Restaurant Rezoning because he and his family live opposite the restaurant and object to the noisy crowd of people, with their vulgar language, who congregate outside the restaurant on Friday and Saturday nights. He said that the restaurant should have a smoking room for their patrons, so they won't disturb the peace and quiet in this residential area.

Danny Pyle, the owner of O'Neill's Restaurant, said that he loves the Maspeth community and is willing to address any issues or problems that arise on any given day. He said that he has an open door policy, and never turns anyone away if they need his help. He said that he employs 60 local residents in his restaurant. He said that he recognizes that on-street parking is at a premium anywhere in Maspeth, which is why he has a licensed and insured valet parking service for his patrons. He said that he looks forward to improving his business, and welcomed local residents to discuss their grievances with him personally so that they can be addressed on an individual basis.

Nan Zhang, a Maspeth resident and member of Citizens of Maspeth and Elmhurst Together (COMET), reported that after 3pm today, a contractor distributed flyers to homes along 69 Street and Jay Street, stating that their water will be shut off from 8am to 8pm tomorrow. He said that local residents should receive at least 72 hours prior notice regarding any water shut-offs. He emphasized the need for translations of these notices into several different languages, particularly Polish and Chinese, because one-third of the residents in this area of Maspeth are non-English speaking Chinese residents. The Board Chairman said that the Dept. of Design and Construction hired a contractor to install new water mains in that area of Maspeth, starting tomorrow.

CHAIRMAN'S REPORT

Vincent Arcuri, Jr.

The Board Chairman welcomed representatives of local elected officials to address the Board.

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On behalf of Queens Borough President Melinda Katz, Joseph Nocerino welcomed everyone to attend the annual Memorial Day Observance Ceremony at 11 AM on Thursday, May 24th, 2018 in the Veterans Memorial Garden in front of Queens Borough Hall, at 120-55 Queens Boulevard, in Kew Gardens.

On behalf of State Senator Joseph Addabbo, Neil Gianelli congratulated Board member Michael O'Kane on his induction into the Class of 2018 NYS Senate's Veterans Hall of Fame yesterday, for his dedicated service to his fellow veterans over the past 5 decades. There was a loud round of applause.

He welcomed anyone who is over the age of 55 and looking for work to attend their next Job Fair for Seniors that will be held on Friday, May 25th, at the Queens Community House, 80-02 Kew Gardens Road, in Suite 202, in order to interview for prospective jobs in Queens. He also announced that in conjunction with the NYC Dept. of Environmental Protection, the Senator is sponsoring a Rain Barrel Giveaway from 10 am to 12 Noon, on Saturday, June 16th, in the Glendale Community Garden on 88 Street at 74 Avenue. He advised that anyone interested in obtaining a free rain barrel to call their office to pre-register at (718) 738-1111. Rain barrels that remain on-site after 12 Noon are given away on a first-come, first-served basis.

In closing, Mr. Gianelli said that the State Senator hopes that the objections to the proposed expansion of O'Neill's Restaurant in Maspeth can be sorted out in order to permit this project to move forward, as planned.

On behalf of State Assemblyman Brian Barnwell, Mark Papish announced that their office will host a live reading of the Declaration of Independence from 6pm to 8pm on Friday, June 29th in front of the Maspeth Federal Savings Bank at 56-18 69 Street. He welcomed anyone interested in participating in this event to call their office at (718) 651-3185. In addition, he said that on Wednesday, June 27th, their staff will partner with representatives of the NYC Dept. of Finance in offering assistance to seniors and disabled adults who are eligible to apply for Senior Citizen Rent Increase Exemptions, Real Estate Tax Exemptions, and tax rebate programs. He welcomed constituents to visit their office at 55-18 69 Street, in Maspeth to find out how they can apply for these benefits. He said that a team of interns in their office have assisted seniors and disabled adults to qualify for and receive thousands of dollars in benefits this year.

Regarding a Water Shut-Off notice that was distributed to residents in Maspeth late this afternoon, stating their water would be shut off from 8am until 8pm tomorrow, Mr. Papish said that contractors are mandated to provide 72 hours prior notice of water shut-offs to all affected residents and businesses. In response to a call from the Assemblyman's office, he said that the contractor agreed to rescind the notice and plans to proceed with the water main replacement project in the vicinity of 69 Street in Maspeth next Monday, instead.

Bob Cermeli said that water main projects are under the jurisdiction of the Dept. of Design and Construction, and their agency should be advised of any problems with their contractors.

On behalf of State Assemblywoman Catherine Nolan, David Renz informed everyone that the Assemblywoman recently introduced new legislation in Albany, Assembly Bill 9802, that would require municipal governments, having a population of one million or more, to provide one school crossing guard for each school building with a student enrollment of under 500 Kindergarten through 8th graders, and at least 2 crossing guards for school buildings with an enrollment of over 500 Kindergarten through 8th graders.

On behalf of Assemblyman Mike Miller, Samantha Kung announced that the Assemblyman will host the Mammogram Mobile Unit in front of their office at 83-91 Woodhaven Blvd from 9 AM to 12 Noon, on Wednesday, May 30th. She said that pre-registration is required, by calling their office for an appointment at (718) 805-0950. Flyers were distributed.

The Board Chairman introduced staff members present at the meeting: District Manager Gary Giordano, and Community Associates Laura Mulvihill and Catherine O'Leary. He recognized the press corps in attendance at the meeting, and thanked them for reporting on Community Board matters and events.

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MINUTES

The Board Chairman asked Board members to review the minutes of the April 11, 2018 Board Meeting. John Maier requested that Antonetta Binanti's name be added to the list of Board members in attendance at last month's Board Meeting. The minutes were approved as corrected, on a motion by Richard Huber, seconded by John Maier.

LIQUOR, WINE and BEER LICENSE APPLICATIONS and RENEWALS

The Board Chairman read aloud the list of establishments in the Community Board 5 area that are in the process of applying for liquor, wine and beer licenses since the last monthly Board Meeting on March 14, 2018. Each Board member received a copy of the list.

New Liquor Licenses

- 1) Philip Hickey or Entity to be formed d/b/a **Glen Patrick Pub** 53-73 65 Place, Maspeth, NY 11378
- 2) Full Guard In. d/b/a **Outlaws** 61-08 Flushing Avenue, Maspeth, NY 11378
- 3) Mattbeth Artisan Foods LLC d/b/a **Grill 66** 75-01 88 Street, Glendale, NY 11385
- 4) **Mon Cheri Inc.** 64-14 Fresh Pond Road, Ridgewood, NY 11385

Liquor License Renewals

- 1) Brisas del Mar Restautant NY Corp 675 Woodward Avenue, Ridgewood, NY 11385
- 2) Nostro Joe's Inc. d/b/a **Joe's Restaurant** 66-11 Forest Avenue, Ridgewood, NY 11385

New Wine and/or Beer Licenses

- 1) Wall Brothers Restaurant Corp. d/b/a **WB Pizza Restaurant** 57-27/29/31 61 Street, Maspeth, NY 11378
- 2) Twin Slice of Pizza Corp. d/b/a **Angelo's Gourmet** 57-64 Maspeth Avenue, Maspeth, NY 11378
- 3) **Balcon de Quito Restaurant Inc.** 666 Seneca Avenue, Ridgewood, NY 11385
- 4) **5754 Deli Inc.** 57-54 Maspeth Avenue, Maspeth, NY 11378
- 5) **Mr. Pancho Corp.** 46-63 Metropolitan Avenue, Ridgewood, NY 11385
Amended from the original notification on Nov. 2017, from Liquor, Wine, Beer & Cider to Beer, Wine & Cider, and removed "Exotic Dancing" from Method of Operation.

Wine and/or Beer License Renewal

- 1) **Sale Fresh Inc.** 68-10 Fresh Pond Road, Ridgewood, NY 11385

Alteration

- 1) * DMI Inc. d/b/a **Knockdown Center** 52-19 Flushing Avenue in Maspeth, has informed us of their intention to apply to the State Liquor Authority for a "Seasonal Bar Permit" which will add a service point within their already licensed facility, operating under the primary license 1276855
* Outdoor Area

Demolition and Construction Notices

The Board Chairman reported that the Board received several demolition notices since last month's Board Meeting: demolition of a 1-fmly house and garage at **70-28 73 Place, in Glendale**; demolition of a 1-story garage at **56-11 Arnold Avenue**; a 1-story house at **61-25 56 Avenue**; a 2-story house at **61-30 56 Drive, in Maspeth**; and partial demolition of the existing structure at **67-16 60 Street, in Ridgewood**.

The Board Chairman asked Board members to remain vigilant and to advise the Board 5 staff about any questionable construction work in the Board area, so they can investigate further.

District Manager's Report**Gary Giordano**

The District Manager welcomed Board members to march in the Memorial Day Parades in the Board 5 area that will take place on: Sunday, May 27th, starting at 1PM on Grand Avenue at the Garlinger Memorial on 72 Street, and ending at the Maspeth Memorial Park at 69 Street in Maspeth; and on the following day, Monday, May 28th, starting at 11AM, the Parade kicks off at Myrtle Avenue at Cypress Avenue, and ends at the Glendale Memorial

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Triangle at Cooper Avenue. He thanked Michael O’Kane for the leadership role that he has undertaken in the Vietnam Veterans Association of America.

Regarding the Emergency Bridge Deck Replacement project on Metropolitan Avenue at Fresh Pond Road, over the LIRR tracks, the District Manager reported that a new contractor, Beaver Contracting, has been selected to complete this project. He said that the contractor hopes to finish this project by December 31st, 2018. He said that at this point, this job is only 30% complete.

Regarding the water and sewer main installation project in the vicinity of 74 Street and Penelope Avenue in Middle Village, the District Manager said that CAC Industries halted work on this job due to the contamination of the soil that is underlying the roadway. He said that the City may have to hire a new contractor to complete this job. He said that it is unlikely that this project will be completed by the end of June, due to the unforeseen circumstances.

The District Manager also reported that he requested that 69 Street be repaved at night, between Eliot Avenue and Calamus Avenue, this year. In addition, he requested street resurfacing on Onderdonk Avenue, Woodward Avenue and Forest Avenue, in Ridgewood, this year.

COMMITTEE REPORTS

Zoning and Land Use Review Committee

Walter Sanchez

Walter Sanchez announced that the committee met in the Board 5 office on Monday, May 7th, to consider the ULURP application # **C180280 PCQ** that was submitted by the N.Y. City Dept. of Health and Mental Hygiene and the Dept. of Citywide Administrative Services to the Dept. of City Planning, pursuant to Section 197-c of the NYC Charter, for the site selection and acquisition of property located at **66-78 69 Street**, on the northwest corner of Metropolitan Avenue, (Block 2790; Lot 34 and part of Lot 32) for a **Queens Pet Admissions Center**.

Mr. Sanchez said that representatives from the Animal Care Centers of NYC (ACC), gave a power point presentation during the public hearing at last month’s Board Meeting, that described the agency’s mission, programs and services that are offered by their field services division that responds to calls from the public to help keep NYC communities safe and rescue animals in need.

During their presentation, it was pointed out that their staff and volunteers rescued over 30,000 animals in NYC last year, and that since the acquisition of a Mobile Adoption Van, ACC has been able to reduce the euthanasia rate for their rescue animals to below 10%.

There are ACC facilities in all five boroughs, including three Animal Care Centers, one each in Manhattan, Brooklyn and Staten Island, and two Admission Centers for lost and surrendered animals, one of which is located at 92-29 Queens Blvd. in Rego Park, and the other one is located on East Fordam Road in the Bronx. He said that ACC has been actively searching for an appropriate site in Queens to relocate their existing facility in Rego Park. At the hearing, Jose Adames, Assistant Architect of the NYC Dept. of Health and Mental Hygiene, said that the proposed pet admission center site is 1,400 square feet, which is almost twice the size of the current Queens Pet Admissions Center in Rego Park. Mr. Adames pointed out on the map that the proposed site is close to public transportation, with several local bus routes and the M train station nearby. . He said that the animals will not remain in the proposed 66-78 69 Street facility overnight, as the animals will be transported in vans every evening to a full service animal shelter, or to New Hope partner sites and foster homes.

At last month’s public hearing, there were 6 speakers at the public hearing who spoke in support of the proposed Pet Admissions Center. One of these speakers said that she has been advocating for a full service animal shelter to be established in Queens for over ten years. Another speaker said that the NYC Charter mandates that each borough have at least one full service animal shelter, but Queens has none. Another

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speaker opposed the proposed site for a pet admissions center, stating that the site is in a largely residential area where there is limited availability of on-street parking. She said that the 69 Street/Metropolitan Avenue intersection is heavily trafficked, and that traffic will be too easily snarled if people pull into the bus stop directly in front of the proposed facility to drop off pets.

Mr. Sanchez said that the committee members voted in favor of recommending that the full Board have no objection to the proposed Pet Admission Center, pursuant to the operational specifications outlined in their application:

- That Animal Care Center (ACC) vans will be used to transport animals from the proposed Pet Admission Center to a full-service animal shelter in Brooklyn each evening.
- The proposed Pet Admission Center will use two parking spaces on a lot adjacent to the proposed facility (Lot: 32), to allow people coming to the center to park off-the-street. The ACC vans that are used to rescue and transport animals, will park overnight in these two spots.
- Necessary renovations to make the space operable as a Pet Admission Center include soundproofing, improving HVAC systems in the building, plumbing upgrades, and ADA compliance.
- The proposed Pet Admission Center will operate from 8am to 8pm, seven days a week.
- Staff at the proposed facility will include approximately 5 personnel, including a veterinarian or veterinary technician to examine the animals.

As there was no further discussion on the matter, the Board Chairman requested a Roll Call vote, which carried unanimously, by a vote of – 41 – in favor; - 0 – opposed; - 0 – abstentions; and – 0 – not voting.

Mr. Sanchez read aloud the description of the proposed O’Neill’s Rezoning **Application #: 180138 ZMQ**, as follows: IN THE MATTER OF AN Application submitted by Akerman LLP, on behalf of **O’Neill’s Restaurant** of Maspeth, Inc., for a Zoning Map Amendment to Zoning Sectional Map 13c that would include: **Lots: 101, 106, 197, 198, and 199 on Block: 2374; and Lots: 1, 2 and 3 on Block: 2381**, in Queens Community District 5. The proposed zoning map amendment would:

- Rezone part of the Project Area from an R4 Zoning District to an R5D Zoning District, with a C2-2 commercial overlay (**Block: 2374; Lot: 101, and a portion of Lot 199**); and,
- Rezone part of the Project Area from an R4 Zoning District to an R5D Zoning District (**Block: 2374; Lot: 106**); and,
- Rezone part of the Project Area from an R4 Zoning District to an R4/C2-2 Zoning District (**Block: 2374; Lots: 197, 198, and part of 199; and Block: 2381; Lots: 1, 2 and 3**).

The proposed zoning map amendment would bring the existing non-conforming Use Group 6 commercial use (eating and drinking establishment) located at **Block: 2374; Lot: 101** into conformance and facilitate the development of a partial 2nd Floor addition to the existing 1-story building of **O’Neill’s Restaurant**, which is located at **64-21 53 Drive, in Maspeth**, under application # C180138 ZMQ.

Mr. Sanchez reported that after a number of meetings, which dozens of community residents attended, the Board heard testimony from people who were against, and those who were in favor of the proposed rezoning and expansion of this restaurant. From our account, it appears that the affected property owners adjacent to the restaurant are overwhelmingly supportive of the proposed zoning change. He said that the Board had received petitions signed by more than 200 people who are not in favor of the proposed change in zoning, as well as a petition signed by more than 200 people who are in favor of the zoning change to allow the construction of a second floor commercial use expansion of O’Neill’s Restaurant. In addition, he said that over two dozen people signed individual letters stating that they are in favor of the proposed expansion of O’Neill’s Restaurant.

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He said that this application states that the proposed zoning map amendment would bring the existing non-conforming Use Group 6 commercial use (eating and drinking establishment) located at Block: 2374, Lot: 101 into conformance and facilitate the development of a partial 2nd floor addition to the existing 1-story building of O'Neill's Restaurant, which is located at 64-21 53 Drive in Maspeth, Queens, N.Y.

Community Board 5, Queens conducted a public hearing regarding this application on Wednesday, April 11, 2018, beginning at 7:30pm. At this hearing, Eleanore Martins and Steven Sinacori, of the firm Akerman LLP, representing O'Neill's of Maspeth, Inc., stated that the proposed project plans for O'Neill's Restaurant, at 64-21 53 Drive, would facilitate the enlargement of the existing one-story building at this site, and that this proposed building enlargement would allow a partial second story enlargement. The proposed second story enlargement at this site would be approximately 4,500 square feet, and would be used for an accessory banquet hall to the existing first floor eating and drinking establishment. They said that approximately 140 people could be accommodated on the second floor if the 4,500 square foot enlargement is built.

The application states that the O'Neill's Restaurant site at 64-21 53 Drive, at the NW corner of 65 Place, has a zoning lot area of 8,354 square feet, and the existing building at this site is 11 feet, 10 inches tall.

At the public hearing, Eleanore Martins, of Akerman LLP, stated that the proposed 2-story structure at this site would rise to a height of 24 feet, 1 inch plus a 3 foot, 6 inch parapet wall. Ms. Martins said that the proposed building enlargement would not negatively affect the light and air to any of the surrounding properties. The O'Neill's Restaurant site does not have any off-street parking, and no off-street parking is planned.

There were 6 individuals who spoke in favor of the proposed rezoning, which, if approved, it would allow the expansion of O'Neill's Restaurant. There was one person who spoke in opposition. Those speaking in favor said that this restaurant is a family restaurant where many charities hold fundraisers and where many families have had celebrations for many years. The person speaking in opposition said that the zoning in the surrounding area is either R4 or R4-1, where many one-family homes are located. He objected to the proposed zoning change. He said it would allow development that is out-of-character with the surrounding community.

Community Board 5, Queens also received a copy of a petition, with signatures of 235 individuals in favor of the proposed O'Neill's Rezoning and second floor catering room. Of these 235 individuals, 62 of those signing lived in the area close to O'Neill's Restaurant. The Board also received 9 supportive letters, from individuals living near or having a business close to the O'Neill's Restaurant site.

Our Board also received a copy of a petition, signed by 197 local individuals opposed to this proposed rezoning. The petition stated: "the change would legalize some non-conforming businesses by adding a commercial overlay. However, it would also increase the residential zoning of several properties, allowing construction of higher density buildings, which the neighborhood is opposed to. With the zoning change, the parking requirements for O'Neill's would be 1 space per 8 persons for both the restaurant and catering hall – a total of 68 parking spaces – which they have not shown an ability to accommodate. They currently are valet parking in the streets all over the area which is causing problems for homeowners, residents and other businesses."

Mr. Sanchez reported that Eleanore Martins and Steven Sinacori of Akerman LLP were present at the committee meeting on Monday, May 7th in the Board 5 Office, representing O'Neill's of Maspeth. In response to parking concerns related to the proposed O'Neill's Restaurant expansion, Mr. Sinacori informed committee members that O'Neill's Restaurant is working out parking arrangements with several local businesses and/or private schools, to enable the restaurant to park restaurant patron's vehicles at these sites.

At their meeting, Ms. Martins stated that the other properties that are part of this rezoning proposal would not be able to be built any higher than they are currently, if this rezoning proposal is approved. In response to a question asking whether one could build up to 40 feet in height in the R5-D portion of the proposed rezoning,

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Mr. Sinacori said that, because there would be a 2.0 FAR limit, one would not be able to build as many as four full stories at the site.

In addition, Mr. Sinacori, of Akerman LLP, said that O'Neill's of Maspeth is willing to sign a restrictive declaration, to be filed with the property deed, limiting any additions to the property where O'Neill's Restaurant is located to the proposed second floor addition at the subject site, which is 64-21 53 Drive. He said that the restrictive declaration would run in perpetuity with the land.

In response to a question from a committee member, Mr. Sinacori said that, since the other properties in this rezoning proposal could not be legally increased in height, there would not be any need to get other affected property owners to sign a restrictive declaration.

After considerable discussion, Mr. Sanchez reported that the members of the Zoning and Land Use Review Committee voted unanimously in favor of recommending that the proposed rezoning be adopted, with the following conditions:

- 1) That the owner of the O'Neill's Restaurant building, located at 64-21 53 Drive in Maspeth, Queens, N.Y. shall record a restrictive declaration against this property, binding the current owner and all future owners and/or assigns, indicating that there be no construction at this site, above what is planned for the proposed second floor addition, and that there be no residential use of this property in the future.
- 2) That the applicant in this rezoning proposal, O'Neill's of Maspeth, obtain letters of agreement from at least two nearby organizations or businesses, indicating that O'Neill's Restaurant be permitted to use their property for the parking of patrons' vehicles on a regular basis. The combined size of the parking areas secured should accommodate parking for at least 60 patron's vehicles.

Jerry Drake pointed out the several of the proposed locations for valet parking are quite a distance away from O'Neill's Restaurant. Mr. Sanchez replied that the Transportation Committee is looking into replacing some of the No Parking Anytime signs along Maurice Avenue to allow on-street parking during the evening.

Carmen Santana suggested that the restaurant hire a van to transport patrons to and from their parked cars. Mr. Sinacori replied that the restaurant currently utilizes vans to transport the valet parking drivers to and from Martin Luther High School, where their patrons' cars are parked.

Maryanna Zero asked what the hours of operation will be. Mr. Sinacori replied that their catering business will operate from 11am to 11pm seven days a week.

John Maier asked if the request to change the existing zoning to an R5D Zoning District only applies to the site of O'Neill's Restaurant. Mr. Sinacori replied that the apartment building on 53 Drive just west of the O'Neill's site is proposed to be rezoned R5-D to be in compliance.

Edgar Mantel asked what the current zoning is on the west side of O'Neill's Restaurant. Mr. Sinacori said that the adjoining property on the west side of the restaurant is currently zoned R4.

After a general discussion of the matter, the Board Chairman requested a Roll Call vote, which carried by a vote of - 32- in favor; - 8 - opposed; - 0 - abstentions; and - 1 - not voting.

Transportation Services Committee

Tobias Sheppard-Bloch

Toby Bloch reported that the committee met in the Board office on Tuesday, April 24th to review the work in progress on several capital projects in the Board 5 area.

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Mr. Bloch reported that the MTA/NYC Transit Authority has completed construction of the new station platforms, stairways and the Myrtle Avenue Viaduct at the Myrtle and Broadway station in Brooklyn, as well as the rail bridge connecting the Fresh Pond Road station with the terminus at Metropolitan Avenue on the M-Train Line. He said that full service on the M train line will be restored by the end of the month. Regarding the construction of station platforms and rail lines on the "M" Train line between the Myrtle and Wyckoff train station and the Myrtle and Broadway elevated station in Brooklyn, he reported that all of the track work and station improvements are slated for completion in May, 2018.

He said that local commuters will be greatly impacted by the shutdown of "L" Train service on the Canarsie Line, due to the repairs that are needed on the rail tunnel between the Bedford Avenue station in Brooklyn and the First Avenue station in Manhattan, beginning in Spring of 2019. He said that the project is expected to take 15 months to complete. He said that committee members met with representatives of the MTA/NYC Transit Authority at last month's public meeting in the Greater Ridgewood Youth Council, in order to review the range of alternatives currently under consideration for commuters and other subway riders. The committee has requested a follow-up meeting with agency representatives to discuss their plans, he said.

Library Services Committee

Sarah Feldman

Sarah Feldman announced that the committee met in the Board 5 office on Monday, May 4th to discuss the proposed budget for local Branch Libraries for the next fiscal year.

Ms. Feldman announced that while the Glendale Branch Library will be closed for renovations until the end of next year, a temporary library branch will open soon in a 1,400 sq. ft. commercial storefront inside Atlas Park, located at 8000 Cooper Avenue in Glendale. She said that the facility will be open 6 days a week. She said that the grand opening of this new site will be held at 3pm on Thursday, May 24th, 2018, on the Atlas Park Mall.

Regarding the Maspeth Branch Library, Ms. Feldman reported that a new roof is still needed there. Council Member Holden has requested a structural analysis of the structure in order to assess the extent of the damage. She announced that the local Crafts Fair at the Ridgewood Branch Library, located at 20-12 Madison Street, has been postponed until Saturday, May 22nd, 2018. She welcomed everyone to attend.

Special Committee re: Homeless Issues

Dmytro Fedkowskyj

Dmytro Fedkowskyj reported that the committee met at 7:30pm on Wednesday, May 2nd, in Christ the King High School. He said that several committee members attended the meeting with our District Manager Gary Giordano.

He said that the first guest speaker was Cara Ochsenreiter, who is the program director (in Queens and parts of Manhattan) for the Breaking Ground Organization. This organization currently operates a faith-based program in Ridgewood for NYC street homeless individuals, which is located at the Ridgewood Presbyterian Church. This program is run by a Pastor Flora Wilson Bridges, from Harlem, and was recently established and provides an over-night bed for 15 single adults who were street homeless and have been processed through a shelter intake center.

Ms. Ochsenreiter explained to the committee that street homeless individuals seeking this shelter need to visit an intake center or call Breaking Ground, they can't just walk into the church. Seven of the 15 adults are from the Ridgewood area. Currently, this is the only site in Queens operated by Breaking Ground as an overnight accommodation. Funding for this program comes from the Dept. of Homeless Services and is appropriated by Breaking Ground. He pointed out that people residing in this program are required to check in every night. If a person is absent for 3 nights, they can lose their bed. The ultimate goal is to get street homeless into permanent housing.

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Breaking Ground's general mission is to strengthen individuals, families and communities by developing and sustaining exceptional supportive and permanent housing as well as programs for homeless and other vulnerable New Yorkers.

Mr. Fedkowskyj said that Father Mike Lopez attended our meeting and praised the program and wishes more of these smaller sites could be opened for homeless individuals in Ridgewood and throughout Queens.

He said that Amanda Nasner, who is the Queens Director at the office of External affairs of the NYC Dept. of Homeless Services (DHS) was the other guest speaker of the evening. He reminded everyone that her position was created to help bridge community relations with the Department of Homeless Services and Community Boards while the Mayor rolls out his plan "Turning the Tides on Homelessness" to deal with the homeless crisis by 2023.

When committee members asked her if a shelter site has been identified for CB5, he said that they were told the answer was no. She said that "At this time, no site has been identified in the CB5 area. Communities will be the first to know as new sites are identified. Communities also have input in site selection by identifying viable sites that not-for-profit providers can propose to us through the open-ended RFP procurement process." She again asked the committee and community board to offer some sites to handle the 292 homeless individuals who last known address came within the CB5 area. But, when committee members asked about the 292 homeless individuals, were they single males, females, families with and without young children, Ms. Nasner replied that the information was confidential. He said that committee members pressed for more information and spirited conversation followed because the type of homeless that could be served varies and so could the location since certain locations could work for certain situations of homelessness. He reported that committee members stated "It's hard to suggest a site if we don't know the cliental that it will be serving."

He said that the committee asked Ms. Nasner to provide DHS requirements of the minimum and maximum range in the number of people who are enrolled in a homeless shelter. The committee wanted to better understand how low enrollments could be for DHS to create a shelter if one is needed within a community. Her reply was that the smallest shelters usually accommodate around 200 people.

He also reported that committee members asked for the following updates, as they relate to the Mayor's plan:

- 11 new shelters have been opened since the Mayors plan rolled out. Queens has 38 shelters, which is the second lowest amount when compared to the other boroughs. Staten Island has the least.
- 1,500 cluster apartment sites have been closed and these are now being used for transitional housing.
- There is an increase (from 11 to 16) of home-based programs in the City, that help keep families and individuals in their homes, providing legal assistance to prevent eviction, along with other financial rental assistance.
- Evictions have dropped 27% since the home-based programs expanded from 11 to 16.
- The City has a continued commitment to build 15,000 units of affordable housing in addition to the state commitment of building affordable housing.

He said that committee members discussed potential sites for a shelter in CB5, but nothing was decided. He said that it should be known that locations were provided to DHS prior to the formation of this committee, only to be rejected by DHS.

He said that committee members concluded that a shelter serving 200 people would be overwhelming for any community in the CB5 area. The committee felt that a shelter with accommodations for 50 or less people would be better suited for the CB5 area.

In response to a question from Carmen Santana, the Board Chairman replied that there are no large tracts of vacant land in the Board 5 area where housing facilities for seniors or disabled residents could feasibly be constructed. Peggy O'Kane commented that Housing Committee members have discussed this issue for the past 20 years, but haven't been able to identify prospective sites. The Board Chairman pointed out that Glendale has

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the largest concentration of seniors living in a single neighborhood in Queens. He said that developers might identify sites for affordable housing, but they're not affordable for the seniors currently living in Glendale.

Nomination of CB5Q Executive Committee Members

The Board Chairman announced that the annual election of Community Board 5 Executive Committee members will take place at next month's Board Meeting, on June 13th. He opened the floor to nominations and then gave the floor to the District Manager to conduct nominations from the floor.

The District Manager read aloud the current list of Executive Committee members. He said that nominations for the Executive Committee members would be opened at next month's Board Meeting, prior to the election of Board Officers.

John Maier nominated Vincent Arcuri to serve as Chairperson, and he accepted. The District Manager asked if there were any other nominations for the position of Chairperson, and there were none.

Walter Clayton nominated Walter Sanchez for the position of First Vice- Chairperson, and he accepted the nomination. The District Manager asked if there were any other nominations for this position, and there were none.

Peggy O'Kane nominated Dmytro Fedkowskyj for the position of Second Vice-Chairperson, and he accepted the nomination. The District Manager asked if there were any other nominations for this position, and there were none.

Michael LoCascio nominated Katherine Masi for the position of Treasurer, and she accepted. The District Manager asked if there were any nominations for this position, and there were none.

Jerry Drake nominated Margaret O'Kane for the position of Secretary, which she accepted. The District Manager asked if there were any other nominations for this position, and there were none.

The District Manager read aloud the names of the four Board members who currently serve as Members-at-Large on the Executive Committee, and opened the floor to nominations for the Member-at-Large positions.

John Maier nominated Theodore Renz, who accepted the nomination. Barbara Toscano nominated Fred T. Haller, III, who accepted the nomination. Dmytro Fedkowskyj nominated Patricia Grayson, who was not present to accept the nomination. Toby Sheppard Bloch nominated John Maier, who accepted the nomination. Paul Kerzner nominated Walter Clayton, who accepted the nomination.

As there was no further business to come before the Board, Board Chairman Arcuri adjourned the public meeting of Community Board 5, Queens on a motion from the floor at 9:44pm. He thanked Pastor Dan Klaus for providing light refreshments for tonight's meeting.