



Chairman, Alvin Warshaviak

*The City of New York
Borough of Queens*

Community Board 8
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District Manager, Marie Adam-Ovide

Minutes of Community Board 8 Board Meeting held on Wednesday, November 13, 2013 at the Hillcrest Jewish Center, 183-02 Union Turnpike, Flushing, New York.

Attendance:

Board Members Present: Dilafroz Ahmed, Jagir Singh Bains, Carolyn Baker-Brown, Edward Chung, Susan D. Cleary, Maria DeInnocentiis, Brian DeMasters, Allen Eisenstein, Mary Maggio Fischer, Florence Fisher, Kevin Forrestal, James Gallagher, Jr., Marc A. Haken, Michael Hannibal, Robert Harris, Tami Hirsch, Steven Konigsberg, Paul S. Lazauskas, Mark J. Lefkof, Mitch Lisker, Elke Maerz, Tammy Osheroov, Frances Peterson, Jesse Rosenbaum, Annie Salvatore, Seymour Schwartz, Michael F. Sidell, Harbachan Singh, Martha Taylor, Alvin Warshaviak and Albert Willingham.

Board Members Absent: Dr. Allen J. Bennett, Robert H. Block, Kenneth Cohen, II, Monica Corbett, Carolann Foley, Howard A. Fried, Joshua Glikman, Frank Magri, Simon Pelman, Virginia Rallis, Charlton Rhee, Samuel Rodriguez, Steven Sadofsky, Anna Sawchuk, Jacob Weinberg and Stanley Weinblatt.

Others Present: City Councilman-Elect Rory Lancman, Susie Tanenbaum representing Borough President Helen Marshall, Wataru Nakai representing Councilman James Gennaro, Carly Liang representing Senator Tony Avella, Anthony Lemma representing Assemblyman David Weprin, Courtney Cariello representing Assemblywoman Nily Rozic, Steven Everett representing City Planning, District Manager Marie Adam Ovide and Barbara McKeon, CB8 Staff Member.

Call to Order:

Chairman Alvin Warshaviak called this Board Meeting to order at 7:30 p.m.

Public Participation:

Brendan Frodell announced that the Queens Community House Pomonok Center will be holding a “Food Justice Leadership Program”. This is a community service initiative program. This program will be open to middle and high school youth. For more information please call (718) 591-6060 or email Bfrodell@qchnyc.org.

Richard Lobel, Esq. from Sheldon Lobel PC, represents Sam Zirk, the applicant for the proposed rezoning of 158-15 Union Turnpike from R3-2/C1-2 to R5D/C1-3. Mr. Zirk proposes to build a 4-story residential apartment building with 39 units. The parking is underneath the building. The zoning right now permits a 10-story community facility building. Mr. Zirk is not interested in building this community facility. He wants to do residential apartments and we are hoping the Community Board will support this. They have gone out to many of the neighbors.

Sam Zirk, applicant for the 158-15 Union Turnpike rezoning, stated that he went out personally to the residents in the area within a two-block radius. He was able to get the signatures of a lot of people in support of this application. He displayed a map of all the neighbors in support of the application. 102 letters of support were sent to the Community Board.

Kenneth Cohen, President of the Flushing Suburban Civic Association, stated “We have seen our community develop drastically. We are not against development; however, we have concerns. A letter was given to the Community Board from the Flushing Suburban Civic Association with concerns. The major concern is the rezoning of the property. We are not against the rezoning of 158-15 Union Turnpike. There is only need to rezone that lot. We are requesting that only 158-15 Union Turnpike be granted a zoning change and the existing properties along Parsons Boulevard. We do not want to see the old St. Joseph’s Hospital be rezoned.”

Paul Lazauskas, representing St. John’s University, announced two programs:

- Friday, November 15, 2013 – Cyber Bullying. Please contact Mr. Lazauskas for further information.
- Child Help Partnership, New York City Children’s Grief Connection Project. Who’s invited: Children, ages 5-17, who had a loved one die and their caregivers. Held once a week for 10 weeks starting February, 2014 at the St. John’s University Campus. The family grief groups are led by highly trained therapists who specialize in helping families deal with the tough issues of losing someone they love. Contact Trish Batchelor at (718) 990-2367 for more information.

Jackie Forrestal

“In order to reduce the potential for commercial encroachment on residential streets, the Department of City Planning recommends a depth of 100 feet ... not 150 feet or, as in this case, double that at 300 feet in depth and over 700 feet in width from Parsons Boulevard to 162nd Street. When the rezoning of Hillcrest Estates and the south side of Union Turnpike was done, the Department proposed to generally reduce the depths of existing overlays to 100 feet to prevent the intrusion of commercial uses on residential side streets. Furthermore, this proposal totally defies the zoning which is proposed. The R5D zoning category calls for no curb cuts on wide streets, yet all of the tax lots here in this proposal enter and exits from Parsons Boulevard and Union Turnpike. All are non-compliant with R5D zoning. We support development of the land in accordance with the current zoning of R3-2. In his application for the rezoning, the applicant has said that if this rezoning is denied, he can build a 3-story residential building.”

Nora Martins spoke in support of the Union Turnpike Rezoning application. She wanted to clarify that the egress and exits will be on Union Turnpike. There is an existing curb cut which is permitted. No new curb cuts are permitted. To avoid commercial activity on 79th Avenue, there is no entrance to the commercial use on the ground floor from 79th Avenue and there will be no cars entering or exiting on 79th Avenue.

Uma Sengupta, David Zirkiyev, Anthony Lee, Patricia Rosa, Francisco DeJesus, Weeda Rahman and Mohammed Salek are neighbors that reside near the proposed rezoning. They are all in favor of the proposed 4-story residential building. They would not like to see a 10-story community facility building. Therefore, they are all in support of the 158- 15 Union Turnpike Rezoning.

James Gallagher announced:

- The “Good Wife” was filmed on 193rd Street in the Fresh Meadows area recently. The episode will air on Sunday, November 24th in the evening.
- The Mid Queens Community Council will be meeting on November 25th.
- Beacon Community Advisory Board will meet on December 5th.
- Hooters opened up last Friday night.
- Building has begun on the 13 story hotel in the Michael’s parking lot.

Wataru Nakai, representing Councilman James Gennaro, submitted a letter of support from Councilman Gennaro on the proposed Union Turnpike Rezoning. The Councilman hopes the Community Board will vote in favor of the proposed rezoning. *Chairman Warshaviak invited Councilman Gennaro to the next Board Meeting in December.*

Salute to the Flag

Chairman Alvin Warshaviak led the salute to the flag.

Approval of Minutes:

Mark Lefkof made a motion to approve the minutes of October 9, 2013 seconded by Susan Cleary .

Count in favor 31 Opposed: 0 Abstained: 0

Board Members who approved the minutes: ; Dilafroz Ahmed, Jagir Singh Bains, Carolyn Baker-Brown, Edward Chung, Susan D. Cleary, Maria DeInnocentiis, Brian DeMasters, Allen Eisenstein, Mary Maggio Fischer, Florence Fisher, Kevin Forrestal, James Gallagher, Jr., Marc A. Haken, Michael Hannibal, Robert Harris, Tami Hirsch, Steven Konigsberg, Paul S. Lazauskas, Mark J. Lefkof, Mitch Lisker, Elke Maerz, Tammy Oshero, Frances Peterson, Jesse Rosenbaum, Annie Salvatore, Seymour Schwartz, Michael F. Sidell, Harbachan Singh, Martha Taylor, Alvin Warshaviak and Albert Willingham.

Chairman’s Report:

- Norma Stegmaier, a Board Member of Community Board 8 who has served for over 25 years has resigned for personal reasons. The Board thanks her for all her years of contribution. Community Board 8 members are the best people in the world. Norma will surely be missed.
- Those who have been on the Board for a very long time will remember Chairman Al Daly. The Board found out, unfortunately, that Mr. Daly has passed away a few months ago. To make matters worse, his wife also passed away. The Board is trying to get in touch with their children. Mr. Daly served with distinction for many years and Mr. Warshaviak had the privilege of knowing him. He was a true gentleman. Our condolences go out to the family.
- Chairman Warshaviak wishes a Happy Thanksgiving and a Happy Hanukkah to everyone! The next time that Hanukkah and Thanksgiving are on the same day is in about 70,000 years.
- The finalized 2014 Board Meeting and Executive Board calendar has been distributed.

District Manager’s Report

District Manager’s Report was distributed.

DOT – There is a new tracking system that is being used citywide for Department of Transportation requests. The agency is no longer using QBC numbers. The information will be stored in one central location. It would include responses via mail or email and any updates on the request. The Department is also in the process of replacing all **street signs** to make them more readable. The process started in Community Board 14 since that area lost many of their signage due to Superstorm Sandy last year. Only locations where all the street signs are unreadable will be replaced.

NYPD/Traffic Enforcement – The number of summonses continue to rise within Community Board 8. The most common infraction was for expired meters (3,590) followed by alternate side parking regulations (2,330). The total amount of summonses issued for October was 11,366.

DOB – The Department has a backlog for inspections. The part time inspector who went on leave due to Workmen Compensation has not been replaced.

Chairman Warshaviak has requested a letter be sent to DOB for a replacement since we have no part time inspector.

FDNY – They are starting to address the issue of overstocked retail establishments. This is the time of the year prior to the holiday season when entrances and exits are often blocked posing a fire hazard. The Fire Department had less medical emergencies, structural and non-structural fires this year than the last. This time last year, the Department had a huge increase in incidents due to Superstorm Sandy.

DSNY – The Department of Sanitation will be going to the night plow schedule starting November 18th in preparation for the winter season. It is recommended that garbage is placed out the night before for collection. This will ensure that your garbage is collected, as some areas may receive collection as early as midnight.

DEP – Assemblyman Simanowitz recently passed a law that came into effect on October 21, 2013. As of that date, taxes are no longer being charged on the service line protection plans for the water and sewer lines.

NYPD – According to the 107th Precinct, we are down on all major crimes this month. They apprehended someone who committed a robbery recently. A store clerk was arrested at Briarwood Wine and Liquor for serving alcoholic beverage to an underage minor. A total of four arrests were made this week for prostitution at two illegally run massage parlors: 3 arrests at 179-07 Union Turnpike and one arrest at 75-05 Parsons Boulevard. I thank Captain Grover and the officers of the 107th Precinct for their hard work and for keeping our community safe.

OATH – The Office of Administrative Trials and Hearings sent a representative to our District Service Cabinet to discuss the Business Forum scheduled for November 21st. Representatives will be available to assist business owners through the OATH process and will answer questions.

We are asking for everyone's assistance to spread the word about the business forum that will take place at the Hillcrest Jewish Center on November 21st at 8 p.m. Many agencies are slated to attend (Department of Health, Consumer Affairs, Buildings, Environmental Protection and more). We want to make sure that the businesses take advantage of this free service that has been put together by the Community Board. Businesses need not be located in CB8 to attend.

Happy Birthday to Board Members: Robert Block, Florence Fisher, Jim Gallagher, Marc Haken, and Norma Stegmaier who are celebrating their birthdays this month.

Borough President's Representative – Susie Tanenbaum

- Borough President Helen Marshall will be holding her Land Use Public Hearing, tomorrow, Thursday, November 14th at 10:30 a.m. One of the items on the agenda is the 158-15 Union Turnpike Rezoning Application.
- Susie handed out a press advisory from Borough President Helen Marshall on the devastation Typhoon Haiyan has claimed on the people of the Philippines. A list of organizations was given out that are conducting relief efforts.
- Borough President Helen Marshall announces that residents can apply for heating assistance (HEAP) at Borough Hall beginning on Monday, November 18th in Room 225 on the second floor of Queens Borough Hall, Monday to Friday from 9 a.m. to 4 p.m. until mid-March.
- The Borough President's Task Force on Domestic Violence, sexual assault, child maltreatment and elder abuse and the Queensboro Council for Social Welfare meeting notice on Wednesday, November 20 at 10 a.m. Queens Borough Hall, Room 213. Presentation by Ms. Laurie Woods from the District Attorney's Office.
- Happy Thanksgiving and Happy Hanukkah to all!

Chairman Warshaviak wanted Susie to convey to Borough President Helen Marshall his gratitude for the 12 years of service she has given to the Borough of Queens and to our Community Board. She is welcomed to come to our next meeting in December.

Committee Reports:

158-15 Union Turnpike Rezoning, CEQR No. 12DCP096Q, ULURP No. 120178ZMQ – Steve Konigsberg – Zoning Chairperson.

- A Public Hearing was held on October 22, 2013. There was a quorum at that meeting. A presentation was made by the applicant. One Board Member voted in favor, eight Board Members were opposed.

- The proposed rezoning seeks to rezone an area that is currently zoned R3-2/C1-2 commercial overlay to an R5D/C1-3 overlay. This will permit redevelopment of the currently vacant premise with a 4-story mixed use building with commercial structures on the ground level and approximately 39 apartments above.
- There was concern on how the traffic would flow. A traffic study was submitted and there would be very little impact.
- The rezoning cannot affect just the one lot. That would be spot zoning. It has to encompass more than that.
- What other parcels of land would be affected by this rezoning? It was mentioned that St. Joseph's has built out as much as it can on its land. The KFC property has a long term lease and the likelihood of anything changing in the next few years is very small.
- There would not be traffic in or out of 79th Avenue and the curb cut exists on Union Turnpike.

Motion:

Marc A. Haken made a motion to approve the 158-15 Union Turnpike Rezoning, CEQR No. 12DCP096Q, ULURP No. 120178ZMQ, seconded by Kevin Forrestal.

Discussion:

- Susan Cleary asked how many stories the applicant is proposing. Answer: four-stories
- Allen Eisenstein asked how many buildings. Answer: one building
- Martha Taylor asked if City Planning is objecting to this application. Answer: No opinion was expressed by City Planning in regard to this application.
- Steve Konigsberg explained that any possible inference relative to an expression of a negative impact with regard to a proposal that took place in the Bronx several years ago is based upon a different set of facts. It is not relevant.
- Kevin Forrestal stated that once the approval for the R5D occurs, the applicant can build anything that is as of right for a R5D. He does not necessarily have to build what he suggested he would build.
- Chairman Warshaviak asked for a friendly amendment to the motion. Zoning Chairman Konigsberg explained that you cannot add conditions. The zoning tells you what you can do.
- Maria DeInnocentiis asked what is the maximum they can build as of right in an R5D/C1-3 overlay. Answer: 40' tall building.
- Kevin Forrestal gave a statement about some of the history of R5D zoning and some of the reasons he has concerns about this application. Mr. Forrestal would very much like to see something built there; however, he is concerned that this is overbuilding.
- Bob Harris stated that this issue is an old issue. The community does not need this change.
- Martha Taylor stated that every one of the objections (traffic study, shadowing and curb cut concerns) raised at the public hearing had been answered. That lot needs development. It has been ugly for years and years. This is the best deal we can get and she will vote in favor of it.
- Mark Lefkof has to respect the 100+ signatures from residents in the surrounding area that are in favor of this application. It is much better to have a residential facility than a community facility. He will vote in favor of this application.
- Mr. Warshaviak explained that the area all around the proposed site has similar zoning. The community is not against this. Jobs and businesses are needed. The community should be more vibrant.
- Florence Fisher asked how many units and will it be low income housing? Answer: 39 units and it will be at fair market price.
- Tammy Oshero personally believes this is a spot zoning.
- Maria DeInnocentiis stated that if this R5D rezoning continues, entire communities will be rezoned into high commercial districts and look more like Queens Boulevard. "We need to be concerned that this could happen and this application should be denied."
- Marc Haken stated that it would be a benefit to have residential housing and urged his colleagues to vote in favor.
- James Gallagher disagrees with the curb cuts and DOT's traffic study. We have many busses on that particular corner. We also have a very active fire house across the street.
- Susan Cleary is not in favor of this application.
- Steve Konigsberg stated that this is an unproductive lot. He would like to see a nice building put there and put it back on the tax rolls.

Vote: 17 in favor 14 opposed 0 abstained

Board Members were voted in favor: Dilafroz Ahmed, Jagir Singh Bains, Carolyn Baker-Brown, Edward Chung, Marc A. Haken, Michael Hannibal, Steven Konigsberg, Paul S. Lazauskas, Mark J. Lefkof, Mitch Lisker, Elke Maerz, Jesse Rosenbaum, Seymour Schwartz, Michael Sidell, Harbachan Singh, Martha Taylor and Alvin Warshaviak.

Board Members who were opposed: Susan Cleary, Maria DeInnocentiis, Brian DeMasters, Allen Eisenstein, Mary Maggio Fischer, Florence Fisher, Kevin Forrestal, James Gallagher, Jr., Robert Harris, Tami Hirsch, Tammy Osheroov, Frances Peterson, Annie Salvatore, and Albert Willingham.

Chairman Warshaviak welcomed new City Councilman-Elect Rory Lancman to the Board Meeting. Every 8 – 12 years, Community Board 8 promotes one of its own to be the Councilperson. He is so happy to take that responsibility and he looks forward to working with us.

Adjournment

A motion was made to adjourn this meeting at 8:47 p.m.
Respectfully submitted, Barbara McKeon, CB8 staff member
November 15, 2013