



COMMUNITY BOARD No. 3, Q.  
82-11 37<sup>th</sup> Avenue, Suite 606  
Jackson Heights, New York 11372  
Telephone: (718) 458-2707 Fax: (718) 458-3316  
Website: [www.CB3QN.NYC.GOV](http://www.CB3QN.NYC.GOV)  
Email: [Communityboard3@nyc.rr.com](mailto:Communityboard3@nyc.rr.com)

September 23, 2021

**ATTENDANCE**

Ann Brown  
Elba Buendia  
Mark Buhrmester  
Vicky Chan  
Muquith Choudhury  
Haiko Cornelissen  
Sonya Davis Roberts  
Michael De Valera  
Vivian Dock  
Margaret Dozier  
Renetta English  
Vasantraï Gandhi  
Ulrick Gedeon  
Pastor Peter Herron  
Larinda Hooks  
Abdur Rahim Howlader  
Kevin Hughes-Noboa  
Edward Kiernan  
Stephen Kulhanek  
Marta Lebreton  
Lisa Mesulam  
Richard Mullings  
Laverne Nimmons  
Nuala O'Doherty  
Dorothy Phelan  
Megan Rockwell  
Fausto Rodriguez  
Tammy Rose  
Edmund Rosenbaum  
David Rosero  
Lobsang Salaka  
Dawn Siff  
Fahad Solaiman  
Marlene Tapper  
Frank Taylor  
Arthur Teiler  
Hamlett Wallace  
Toi Washington-Simon

**ABSENT**

Kham Bhatta  
Shiv Dass  
Joyce Julian  
Ralph Moreno  
Marco Munoz  
Veronica Ng  
Ladislá Pérez  
Jairo Rodriguez  
Leoncio Romero  
Jimmy Smith  
Shanel Thomas-Henry  
Edwin Westley

**Guest**

Assy. Jessica Gonzalez-Rojas  
Erin Drinkwater, DHS  
Amanda Nasner, DHS  
Sonia Russell, DHS  
Craig O'Conner, DHS  
Maria Centeno, DDC  
Michelle Arfeen, DDC  
Kathi Ko, Rep., Dept of City Planning  
Craig Chin, DOT  
Mary Jobaida Rep., NYS Sen. Ramos  
James Mongeluzo, Rep., NYC Comptroller  
TaQuoia Jones, Rep., CM Moya's Office  
Qibin Ye Rep., CM Dromm's Office  
Lili Pioche, Rep., Assy Aubry's Office

**Please Note: The next Meeting will be held on Thursday, October 21, 2021 at 7:00 p.m. via Teleconference.**

Renetta English, Chair, called the meeting to order at 7:00 p.m. and welcomed all in attendance. Roll call was taken at that time.

## **PUBLIC PARTICIPATION**

### **34<sup>th</sup> Avenue Open Streets**

Gloria Contreras, resident, expressed concerns with cyclists and scooters riding around 34<sup>th</sup> Avenue. A child got hit by a scooter, two scooters collided, a 5 year old's right side of his body was bruised to being hit by a cyclist and an inebriated driver fell off his scooter. Ms. Contreras said that her daughter has had close calls with scooters and cyclists on 34<sup>th</sup> Avenue. She worries that a child will be killed. Ms. Contreras missed out on the DOT Open Street Q & A meetings and suggests there be another one for residents to express their concerns.

### **34<sup>th</sup> Avenue Open Streets**

Ricardo Pacheco, JH Coops Alliance, said there is a lack of communication from DOT and the coalition to include all the residents in the decision making process for the Open Street Program. Surveys were conducted on social media which excluded a lot of residents. He said that 26 blocks of Open Streets is excessive. The barricades block cars from picking up seniors and disabled residents who cannot walk far distances. They are being denied access to being picked up at their homes. Emergency vehicles are not being able to respond in a timely fashion because of the barriers and other obstacles that block the streets. The school buses are being prevented from entering 34<sup>th</sup> Avenue to drop off and pickup children in front of the school building. "I believe that is a violation of the law." Mr. Pacheco said that the Open Streets Program is not working for everyone and maybe would be more effective if it was only on the weekends.

### **34<sup>th</sup> Avenue Open Streets**

Marilyn B. Rogers, resident, stated that there are over 2,000 signatures from residents who live in the Coop, who resent the fact that they were not included in the decision-making process about the Open Streets. Instead, they were informed after the fact. Everything was done on social media. She said that they pay a lot of money for their Coops and can't have access to their cars. The safety of the citizens in the Coop is making them vulnerable. Ms. Rogers said that she is not against Open Streets but thinks they should be seasonal and limited. She noted that bus stops were eliminated, which effects residents.

### **Bus Stops Elimination**

Charlton Dsouza, President of Passengers United, said that the bus stop eliminations along the Q66 bus stops is discrimination. There are elderly and disabled people who cannot walk an extra block. There were no signage put up where the bus was not making stops. There should have been signs posted in different languages. In addition, the bus drivers were not given a list of the bus stops that were eliminated. That led to confusion for the bus riders and leaves people stranded. Mr. Dsouza called upon the Elected Officials and Community Board 3 to address this important concern with the DOT and MTA.

## **PUBLIC INFORMATION**

### **Assemblywoman Jessica Gonzalez-Rojas**

Assemblywoman Jessica Gonzalez-Rojas reported that her office has compiled a list of resources for constituents to help navigate the damage caused by Hurricane Ida. FEMA is not allow to give money to people who are undocumented. Assy. Gonzalez-Rojas is working with the State and City to fight for a fund so that everyone can have access to those resources.

ERAP (Emergency Rental Assistance Program) offers emergency assistance for people who can't pay their rent. She encourages landlords to have their tenants, who are having trouble paying the rent, to apply. ERAP will pay the landlord directly. Both the tenant and landlord have to apply. It pays up to a year of back rent and 3 months of forward rent.

On November 13, 2021 there will be a *Paper Shredding Event* from 10:00 a.m. – 2:00 p.m. in front of P.S. 398.

On Mondays between 10:00 a.m. – 4:00 p.m., the office is excepting E-waste or to call the office for accommodations.

Assy. Gonzalez-Rojas said that she has been working closely with the tenants from 89<sup>th</sup> Street Tenant Association and merchants from 74<sup>th</sup> Street who were effected by fires. Also, the

## September 23, 2021 Community Board 3 Full Board Meeting

office has set up virtual training with the Red Cross on emergency preparedness and giving out free fire alarms.

Assy. Gonzalez-Rojas thanked Community Board 3 for coordinating the *9/11 Day of Remembrance* for the community.

Assy. Gonzalez-Rojas can be reached at 718-457-0384 or e-mail [gonzalezrojasj@nyassembly.gov](mailto:gonzalezrojasj@nyassembly.gov)

Board Member Sonya Davis Roberts asked about parole violators regarding Riker's Island.

Assy. Gonzalez-Rojas said there is a Bill called *Less is More* that was passed preventing recently paroled prisoners from being incarcerated on technical violations.

Board Member Lobsang Salaka asked what support is being given to the Afghanistan refugees.

Assy. Gonzalez-Rojas said that along with other Elected Officials have signed a letter welcoming Afghanistan refugees to the community.

Ricardo Pacheco, JH Coops Alliance asked the Assy. Gonzalez-Rojas her position on 34<sup>th</sup> Avenue Open Streets.

Assy. Gonzalez-Rojas said she supports the Open Street Program. It's not very sustainable now because it's being run by volunteers. She noted that there are legitimate concerns that need to be addressed.

### **Department of Homeless Services – 112-16 Astoria Blvd. New Facility**

Erin Drinkwater, Deputy Commissioner for NYC Department of Homeless Services, reported that in 2017, the Mayor issued the *Turning the Tide* plan to address the homelessness affecting all five boroughs. Ms. Drinkwater said they are making progress. They funded a Right to Counsel Program which has driven down eviction by 40%. DHS is preparing for the eviction moratorium to be lifted to make sure New Yorkers have access to ERAP (Emergency Rental Assistance Program).

Previously, there were 14 home-based offices. Now there are 26 across the five boroughs serving New Yorkers who need assistance with preventing homelessness. Programs for landlord and tenant mediation are just some of the services focused on keeping individuals housed. There are rental assistance programs and re-housing programs that has helped over 175,000 people secure housing or moving out of shelters.

DHS has made significant progress and have ended the use of the Cluster Program. The units were returned back to the affordable housing stock by partnering with non-profit housing developers to turn the units into affordable housing.

Additionally, they are working to get out of commercial hotels as part of stop gap measures to meet New York City's *Right to Shelter* program. The agency has had to rely on the use of commercial hotels to serve clients so they don't run afoul of the legal and moral obligation they have to house New Yorkers who are experiencing homelessness. They are making progress starting with families with children.

DHS made a commitment that every New York community needs to be playing a role in the solution of homelessness. DHS is making sure that every Community Board across New York City has shelter and is playing their role. DHS has invested in their Street Outreach program to make sure that they are serving the most vulnerable New Yorkers.

Ms. Drinkwater said that the hotel on 112-16 Astoria Blvd will serve 140 adult families with no under-age children. It's a high quality facility that allows individuals to be closer to networks of support, including schools, jobs, health care, family, social services and communities that they previously called home will help them transition from homelessness to permanent housing. DHS has partnered with BRC (Bowery Residents' Committee) who

## September 23, 2021 Community Board 3 Full Board Meeting

will have on site social services and security 24/7 daily. Social Services will provide housing resources.

Chairperson Renetta English said years ago the new hotel came to the Community Board. The Community Board always asks if there are any homeless shelters coming to the community and are told no. Ms. English said that a Homeless Shelter near a school concerns her tremendously.

Toi Washington-Simon, Health and Social Services Committee Co-Chair, took questions from the public.

Margaret Flanagan, resident, asked what DHS could do to address the problem of day laborers who make homeless camps along the BQE.

Ms. Drinkwater said that they provide shelter irrespective of somebody's immigration status. However, there seems to be a barrier in terms of establishing a trust to make them know that there are resources available to them.

Amanda Nasner, Queens Borough Director for NYC Department of Homeless Services, said that those individuals are well known to *Breaking Ground*, who goes out on a daily basis to offer them services.

Kim Hyatt, resident, asked how many shelters have been placed in other areas in Queens within the last five years.

Ms. Drinkwater said the best answer she could give at the moment is to list by Community Boards District in Queens: CB1Q -12, CB2Q - 6, CB3Q - 7, CB4Q - 3, CB5Q - 1, CB7Q - 3, CB8Q - 1, CB9Q - 1, CB10Q - 6, CB12Q - 14, CB13 - 10 and CB14Q -5.

Ms. Washington-Simon said DHS should give a better breakdown so that they know exactly what's in the community.

A resident asked who decided to build a permanent shelter while a new school was being built.

Ms. Drinkwater said DHS needs to keep shelter obligations and serve New Yorkers in their home communities. They have an open-ended RFP (Request for Proposal) that nonprofit service providers are able to submit proposals on a rolling basis. Once proposals are submitted they are rated by criteria and then approved or disapproved. The non-profit will outline what type of shelter they intend to have at the location. DHS determines if it fits into the needs of the agency.

Yamara Dunning, resident, said she works at the school on 111<sup>th</sup> Street and Northern Blvd. There is a shelter on 112<sup>th</sup> Street and the teachers do not feel safe taking children on nature walks because there are people who sit on benches in front of the school drinking and smoking. One day someone exposed themselves to the children. She said having a shelter near a school is very alarming.

Ms. Washington-Simon said that there is a particular shelter where a private security firm was hired with a vehicle sitting outside the gate 24/7 instead of inside the gate. She asked how they are going to enforce security.

Ms. Drinkwater said that all providers are required to set up community advisory boards made up of members of the community, stakeholders and business owners. That is a venue for security to be discussed. She noted that the Springhill Suites on 112<sup>th</sup> Street will be closing when the location at Astoria Blvd opens.

Christy Reid, resident, asked how security is going to protect the neighboring residents on the block.

## September 23, 2021 Community Board 3 Full Board Meeting

Ms. Drinkwater said that security's main focus is the shelter. The residents in the shelter have the right to move freely around. Having external patrols is helpful to avoid negative behaviors.

A resident said that she was told that there are sex offenders.

Ms. Drinkwater said that homeless New Yorkers have the right to shelter regardless of background according to State law. There are certain offences that require an individual to register on the sex offender registry for life. There are other individuals who, in addition to that, are residency restricted. The Department of Corrections places limits on where the individuals reside. DHS places people in accordance with those laws.

Ms. Washington-Simon asked what kind of shelter designation will it have and what is the population of the residents.

Ms. Drinkwater said that there will be a general population shelter for adult families with social services and other services.

Board Member Frank Taylor said that there are less than 60 shelter beds in Forest Hills, Bayside and Whitestone. In East Elmhurst and Corona there are thousands of beds. Mr. Taylor said that DHS is destroying the neighborhood. The services at the shelters are non-existent. The only way people get services is if they ask for it. If they don't ask for services, they won't get any. Mr. Taylor said, according to Assy. Jeffrion Aubry, in order for a hotel to be a shelter it is supposed to show a hardship. "How can it show hardship when it never opened?"

Ms. Drinkwater said DHS sends out a letter to every Elected Official and Community Board requesting sites for shelters. There is also a link on the DHS website for anyone to recommend sites. When DHS does not receive requests they have to move forward to ensure that they have the available shelter capacity to meet the legal obligation under the New York State *Right to Shelter* obligations.

Ms. Washington asked how often DHS will check on the site to make sure all services are being met.

Sonia Russell, Assistant Commissioner for Programs for the Department of Homeless Services, said she oversees the location at 112<sup>th</sup> Street. Staff goes out to the site to ensure that services are being met. There are weekly meetings with providers every Monday.

### **DDC Green Infrastructure Project #0502A**

Maria Centeno, and Construction, introduced the Community Construction Liaison Michelle Arfeen to make the presentation.

Ms. Arfeen, NYC Department of Design Community Construction Liaison, reported that the start date for the project is October 2021 and anticipated completion is November 2022 for Project BB0502A. The project is necessary because New York City has a combined sewer system which carries both sewage and storm water into a single pipe. It causes backups and flooding. During extreme rainfalls, it is necessary to have green infrastructure in the community. The green infrastructure improves street drainage and decreases storm water entering the sewer system. There will be several locations in Community Board 3.

DEP inspects the rain gardens at least once a week. They remove litter and sediment that may have carried in by stormwater. The Community can get involved by volunteering as a Harbor Protector to keep the neighborhoods clean and pollution out of the waterways.

DDC field staff will work with those individuals to minimize certain inconveniences. Anyone with special circumstances should contact the Community Construction Liaison.

Ms. Arfeen can be reached at [GIBB0502Accl@gmail.com](mailto:GIBB0502Accl@gmail.com) or call 718-784-5570.

A resident asked if there has been any consideration for a larger scale of absorptive surfaces



## September 23, 2021 Community Board 3 Full Board Meeting

Ms. Centeno, Community Outreach and Notification for The Department of Design, said they are coming. DEP has porous pavement projects in the pipeline. That is green infrastructure that will be employed.

Shelly Bravada, resident, asked if the DDC work will effect seniors.

Ms. Centeno said that before DDC does any work they survey the area to get a sense of who lives in the area. They provide advanced notifications to the neighbors. Ms. Arfeen can be contacted to coordinate.

Board Member Nuala O'Doherty asked if they will be doing the greenery modal for the neighborhood.

Ms. Centeno said it will be a combination of the regular rain gardens, concrete and green strips.

Board Member Dawn Siff asked if the green infrastructure will help with future flooding events.

Ms. Centeno said severe rainstorms are much bigger part of the drainage system but every little bit helps.

### **PUBLIC HEARINGS**

#### **FY2023 Capital & Expense Budget – (Elba Buendia & Rev. Peter Herron, Co-Chairs)**

Elba Buendia, Co-Chair of Capital Expense Committee, called upon the public for recommendations, concerns or suggestions to add to the Capital & Expense Budget for 2022.

There were no comments from the Public.

#### **Traffic Transportation – (Steve Kulhanek & Ed Kiernan, Co-Chairs)**

##### **Street Co-Namings**

Ed Kiernan, Co-Chair for Traffic & Transportation, introduced Qibin Ye to speak about the two Street Co-Namings. Qibin Ye, representative for Council Member Daniel Dromm, read 2 letters from CM Dromm in support of the Co-Namings.

##### **Peter Magnani Way – NW Corner of 81st Street & 34th Ave**

*Peter Magnani, who died on June 23, 2021 at age 82, left an indelible mark on the built environment of Queens through his life's work as an architect and city planner. He shepherded the creation of many of the most important public buildings in the borough over the past 35 years. Queens is home to more green spaces, beautiful libraries and other architecturally noteworthy public buildings thanks to his vision and expertise.*

*In 1980, Peter advocated for a mixed-zoning plan for Long Island City to protect the area's factories and industrial production and the current owners of single-family homes from unchecked high-rise development.*

*In 1986, as deputy Borough President, Mr. Magnani planned and implemented the Queens West mixed-use waterfront development and championed the building of the new Queens Hospital Center, the Flushing Meadow Corona Park Olympic swimming pool and ice rink, the Queens Hall of Science addition and Queens Borough Public Library at Flushing.*

*Following Peter's advice, Borough President Claire Shulman allocated funding in the 1990s to restore sections of the 34th Avenue median between 69th Street and Junction Boulevard that had been removed in the 1960s.*

*In 2002, Peter became the director of capital program management for the Queens Borough Public Library. In that role, he oversaw the largest and most successful building program in the history of the library.*

*Peter was instrumental in the selection of Steven Holl and his "Beacon of Light" design concept for the new Hunters Point branch near the waterfront. Thanks to his vision and expertise*

## September 23, 2021 Community Board 3 Full Board Meeting

*Queens is home to more green spaces, beautiful libraries and other architecturally public buildings.*

### **Monti Castaneda Way – NW Corner of 89th Street & 35th Ave**

*Monti J. Castañeda Sanchez was born in Brooklyn on October 20, 1961. As an only child, raised by a single mother who arrived in New York from Guatemala, Monti, or Chiqui, as she was known in her community, had a profound connection with the challenges and struggles faced by immigrant women, the youth and the elderly in New York City.*

*For over 40 years she passionately provided her talents and activism to her community of Jackson Heights where she served as a member of Queens Neighborhood Advisory Board 4 and the Community Action Board as the Representative of Region 17.*

*Throughout her lifetime she was committed to serving underserved immigrants in the area of public health. She worked as a researcher for various health focused organizations and worked closely with the Ecuadorian International Center in Jackson Heights writing grants to raise funds for free mammogram services for low-income women, among other causes. She also mentored young people - especially DACA youth – empowering them to remain actively engaged in their communities and become influential advocates. In 2018, Chiqui helped start the Luz Colón Memorial Fund, which provides small college grants for young Latinas in New York interested in civic affairs and community leadership.*

*Monti J. Castañeda was a much-needed voice for Jackson Heights. Her small and large contributions and commitment to serve will continue to outlive her.*

### **Land Use – (Hamlett Wallace, Chair)**

#### **Open Restaurants Text Amendment – Kathi Ko, DCP**

#### **NYC's Open Restaurants Program**

Hamlett Wallace, Land Use Chair, reported that the NYC Department of City Planning along with the Department of Transportation are proposing Zoning Text Amendment, which is an application to make sidewalk cafés permanent.

Craig Chin, representative for the Department of Transportation, reported that the Permanent Open Restaurants Program will give restaurants the option of sidewalk and roadway sitting for outdoor dining. They will take what has worked and hasn't work in the past to develop future guidelines. Mr. Chin gave a presentation:

#### **Permanent Open Restaurants:**

- New program under DOT to include both sidewalk and roadway cafes
- Program that balances all needs of the street and sidewalk
- Use what has worked under the Sidewalk Café Program and Emergency Open Restaurant Program to develop guidelines for the Permanent Program

There were sidewalk cafes before COVID, but now more were administered by NYC Consumer and Worker Protection. DOT ran a small pilot called Street Seats with 25 setups, mostly in Manhattan.

#### **Creation of Open Restaurants Program:**

- During the summer of 2020, New York City revisited its rules and in many cases suspended them to allow restaurants to serve outdoors, due to restrictions on indoor dining

#### **The temporary program:**

- Helped save almost 11,000 restaurants and an estimated 100,000 jobs by allowing establishments to continue serving outdoors, on the roadway, sidewalk or both
- Did not require a participation fee
- Eliminated lengthy DCWP review process

The program has been a lifesaver to restaurant industry and the city during a dark time.

Lessons were learned from negative and positive experiences.

## September 23, 2021 Community Board 3 Full Board Meeting

### **Successes:**

- No geographies off limits
- Program easy to access, encouraging participation
- With addition of roadway seating, more options for restaurants

### **Challenges:**

- Clarity, consistency and communication of rules
- Issues with FDNY turning radius, safety signage being blocked by restaurants
- Compliance and enforcement
- Balancing the long-term interests of all sidewalk and street users

After a massively successful summer, the Mayor announced in September 2020 that Open Restaurants would be permanent and year-round. A permanent program requires a series of different legal changes. Including, a text amendment to allow more locations to be eligible for roadway and sidewalk seating.

### **Vision for a Permanent Program:**

- Both Sidewalk & Roadway seating administered and enforced by DOT
- Allow for removable tables & chairs
- Subject to clear path & other siting criteria
- Both sidewalk and roadway seating require DOT revocable consent
- Continued rules of operation (sound, hours of operation, etc.)

Mr. Chin said that the final, specific design guidelines will be very fair and will revolve around the principles mentioned that balance the use of sidewalk space by restaurant but maximize the space of openness to the public. DOT is proposing, for most of the city, an 8 foot clear path. For areas with higher foot traffic, the city is proposing a 12 foot.

For other special cases, a new waiver for restaurants to go down 6 foot clear path for those that cannot meet clear path requirements to be reviewed by DOT and Mayor's Office for People with Disabilities (MOPD).

### **Components of Sidewalk Café Seating:**

- All restaurants with ground floor space eligible to apply for year-round access
- Must be ADA compliant
- Hours of operation consistent with DCWP – Midnight Sun – Thu, 1am Fri & Sat
- Subject to clear path and siting criteria/distance from obstructions
- Sidewalk widths and pedestrian flow
- Fire, sanitation and bus access on narrow streets
- Critical operations at the curb lane (safety projects, snow removal, milling & paving, utility work, etc.)
- Closer looks at high saturation corridors

### **Roadway Seating:**

- Setups allowed citywide in parking lanes except in prohibited zones
- Maintain public safety (visibility of traffic safety signs, access to hydrants, etc.)
- Clear guidance and enforcement on sound
- ADA compliance

### **Seasonality:**

- Allow other City operational needs to continue (e.g. snow cleanup of streets and sidewalks)
- Safety considerations regarding seasonality (outdoor heaters needed in colder seasons)
- Options are being explored for waiver that allows for winter months

### **Removal of Locational Prohibitions – Via Zoning Text Amendment:**

- Expand universe of allowed geographies for sidewalk cafes
- Remove other zoning text that enables sidewalk cafes
- Grandfather existing enclosed cafes



## September 23, 2021 Community Board 3 Full Board Meeting

### **Changes to the Sidewalk Café Program – Via Local Law & CAPA:**

- Transfer control of sidewalk cafes from DCWP to DOT, enabling a unified program
- Update design requirements and streamline lengthy review
- Create new clear path requirements and waivers to protect pedestrian right of way

### **Creation of a Roadway Café program- Via Local Law & CAPA**

- Establish siting rules, guidelines, fee structure and application review process for new program

Changing zoning is the first critical to make the program permanent. Steps have to be taken. Each step welcomes public input and review. DOT welcomes feedback.

Kathi Ko, NYC Department of City Planning representative, reported on her presentation:

### **Zoning Proposal:**

- Delete Zoning Resolution Article 1, Chapter 4 in its entirety – effectively removing all zoning location restrictions on sidewalk cafes
- Remove language that prevents sidewalk cafes in Special Districts
- Remove rules around enclosures, operable windows, sidewalk widenings that would preclude or limit outdoor dining under the Open Restaurants program
- Other definitional/reference cleanup

This would affect Sidewalk Cafes by allowing any restaurant in the city to apply to DOT for a sidewalk café based on its sidewalk conditions.

### **Unenclosed Sidewalk Café**

- 8' clear path, or 50% of sidewalk
- Max 2'-3' fence or barrier
- Siting Criteria from street infrastructure
- Any furniture or shading must be removable

### **Small Unenclosed Café**

- Located in higher volume areas
- 4'-6" depth for café space

### **Enclosed Sidewalk Café**

- 8" clear path or 50% of sidewalk
- Requires 50% of wall to be transparent
- Distance from other enclosed cafes must be 15' to 40'

11,500 Restaurants participated in the Citywide Open Restaurants Program.

Ms. Ko said restaurants are still feeling the pressure from the pandemic and with new variants that are threatening communities. In 2020, over 2,500 restaurants participated in outdoor dining that would not have been eligible or limited in some way. The Zoning proposal will allow for sidewalk cafes in these areas if they can meet the sidewalk conditions.

Sidewalk cafes are limited by zoning, if specifically prohibited, grandfathered restaurants in residential districts, or limited by small café designation.

Ms. Ko said that Cafes are already allowed throughout commercial areas in Community Board 3. They are prohibited in areas along Roosevelt Ave., portions of Junction Blvd and 82<sup>nd</sup> Street. There were four establishments from Community Board 3 participating in the Sidewalk Café Program before COVID-19.

### **Open Restaurants in Community Board 3:**

- Sidewalk – 85
- Roadway – 26
- Both – 162
- Prohibited – 53
- Residential Area – 11

## September 23, 2021 Community Board 3 Full Board Meeting

### Other Zoning Text Technical Cleanup

- Definitions and cross references
- Removing text that precludes operable windows that service outdoor restaurants
- Removing enclosure provisions in certain text
- Clarifying sidewalk widening text to ensure no conflict with Open Restaurants

Multiple legal steps will be needed to enact the full permanent program with the emergency program remaining in effect and allowing restaurants to maintain their spaces uninterrupted through at least winter 2022:

- Develop permanent proposal
- Zoning text amendment & legislative actions
- Rulemaking process
- New Application Process
- Transition process

There is a 90-day referral to Community Boards and Borough Presidents. Deadline September 27, 2021.

Board Member Muquith Choudhury expressed concern over the fighting at Diversity Plaza.

Mr. Chin said in the program there is a fee and have to follow the guidelines and rules. No restaurant wants to lose their fee.

Chairperson Renetta English said she has an issue with DOT managing the cafes when for years it was managed by the Department of Consumer Affairs. The community does not know the cost and there is a big concern with enforcement. She said it is confusing not knowing the full picture.

Board Member Mark Buhrmester asked if the text amendment could technically move forward but without the 64 restaurants in Community Board 3.

Ms. Ko said yes, they can move forward. They are talking about the location requirements.

Board Member Dawn Siff asked if the City could support the restaurants that don't have the same resources like in Manhattan in order to build safer structures.

Mr. Chin said that under the permanent program they are looking into that.

Ms. Ko noted that once a restaurant applies to DOT for a license, DOT will review and make sure it goes to Community Boards for review.

Ms. English asked why DOT is the sole agency managing the program.

Ms. Ko said that sidewalks are governed by DOT. She said that DOT are the experts on existing conditions and capital improvements. They have the full picture and future amenities.

Mr. Chin said that before COVID there were multiple agencies but the process took too long.

Hamlett Wallace, Land Use Chair, asked if DOT has experience with management and enforcement.

Mr. Chin said that when they get complaints, they issue a warning and a time period to make corrections. If the corrections are not made, DOT orders a cease and desist order.

### **Business Economic Development. - (Edmund Rosenbaum - Chair)**

#### **S.L.A. New Wine/Beer & Liquor License Applications:**

#### **Letty Almedina - 80-24 Northern Blvd. Jackson Heights (New - Full Liq.)**

## September 23, 2021 Community Board 3 Full Board Meeting

Edmund Rosenbaum, Chair of Business Economic Committee, reported that the applicant is seeking a Full Liquor license. Mr. Rosenbaum called upon the owner of Letty Almedina.

The owner wants the option to be open until 4:00 a.m. since her restaurant is small and holds only 39 people. It was the dream of her husband, who passed away, to own a restaurant in a neighborhood like Jackson Heights.

Board Member Mark Buhrmester asked how it will hurt the business if they can't be open until 4:00 a.m.

The owner said that customers will go to a restaurant that is staying open later than their establishment and will subsequently lose business.

Board Member Ann Brown asked if the owner lives in the area.

The owner said no, but that close friends who do live in the area suggested she start her business in Jackson Heights.

### **Emily Bar Rest. dba El Pasa Rest. Bar – 35-64 95th St, Jackson Heights (Alt.)**

Edmund Rosenbaum, Chair of Business Economic Committee, reported that the applicant is seeking a Full Liquor license. Mr. Rosenbaum called upon the owner of Emily Bar Restaurant.

The representative spoke for the owner who was present. The owner wants to expand the place by adding on to the next door location, which will be in the back.

### **La Nueva Troncalena Rest. Corp. dba La Nueva Troncalena -102-10 37th Ave, Corona (Wine/Beer/Cider)**

Edmund Rosenbaum, Chair of Business Economic Committee, reported that the applicant is seeking a Full Liquor license. Mr. Rosenbaum called upon the owner of La Nueva Troncalena Restaurant.

The representative spoke for the owner who was present. The owner is experienced in Ecuadorian food. There will be Karaoke only on Fridays and Saturdays.

### **Sabor Peruana II Corp. - 95-13 Roosevelt Ave, Corona (New – Wine/Beer/Cider)**

Edmund Rosenbaum, Chair of Business Economic Committee, reported that the applicant is seeking a Full Liquor license. Mr. Rosenbaum called upon the owner of Sabor Peruana II Corp.

The representative spoke for the owner who was present. It's a family restaurant that is not near any churches or schools.

### **Raices Colombianas Corp. dba Raices Colombianas - 86-02 37th Ave, Jackson Heights (New-Full Liq.)**

Edmund Rosenbaum, Chair of Business Economic Committee, reported that the applicant is seeking a Full Liquor license. Mr. Rosenbaum called upon the owner of Raices Colombianas.

The owner said the restaurant was passed down to her by her cousin. They will have music but no dancing on the premises.

A resident said that it gets rowdy in that area. She asked if they will have certified security.

The representative for the owner said they will have licensed security Friday and Saturday nights from 8:00 p.m. – 3:00 a.m.

A resident asked if they have a liquor license.

The owner said they did have a liquor license but it was revoked due to violations. She said they corrected all violations.

### **EXECUTIVE SESSION**

Renetta English, Chair, opened Executive Session with the Pledge of Allegiance.

## September 23, 2021 Community Board 3 Full Board Meeting

### **Motion # 52 - Adoption of the Agenda**

Upon motion duly made by Renetta English, seconded by Arthur Teiler, to adopt the Agenda, was passed unanimously.

### **Motions By Committees:**

#### **Traffic Transportation – (Steve Kulhanek & Ed Kiernan, Co-Chairs)**

##### **Street Co-Namings**

##### **Peter Magnani Way – NW Corner of 81st Street & 34th Ave**

Stephen Kulhanek, Traffic & Transportation Co-Chair, reported that the committee recommends **approval** of the Street Co-Naming.

##### **Motion # 53 - Peter Magnani Way – NW Corner of 81st Street & 34th Ave**

Upon motion duly made by Stephen Kulhanek, seconded by Kevin Hughes-Noboa, to **approve** the application was passed unanimously.

##### **Monti Castaneda Way – NW Corner of 89th Street & 35th Ave**

Stephen Kulhanek, Traffic & Transportation Co-Chair, reported that the committee recommends **approval** of the Street Co-Naming.

##### **Motion # 54 - Monti Castaneda Way – NW Corner of 89th Street & 35th Ave**

Upon motion duly made by Stephen Kulhanek, seconded by Kevin Hughes-Noboa, to **approve** the application was passed unanimously.

#### **Land Use – (Hamlett Wallace, Chair)**

##### **Open Restaurants Text Amendment – Kathi Ko, DCP**

##### **NYC's Open Restaurants Program – An application to make sidewalk cafés permanent**

Hamlett Wallace, Land Use Chair, read his report:

*Queens Community Board3 supports their local restaurants and acknowledges the serious impact Covid-19 has had on their businesses. However, in reviewing DCP's current proposed Open Restaurant text amendment, we believe it needs further development.*

*Therefore the Land Use Committee recommendations that the Open restaurant Text Amendment be **disapproved** because of the following concerns:*

- *DOT, DOB and DCA working jointly would have a better handle on the oversight of Open Restaurants.*
- *There is No mention of how the rules/policies would be enforced, nor whether enforcement personnel will be hired.*
- *Will permitting fees be affordable to small businesses?*
- *All sidewalks/streets are not conducive for sidewalk cafe/Street Cafe use.*
- *What impact would reducing parking spaces have of local businesses?*

*There is far too many issues that have not been addressed or left out of the current proposal and therefore cannot be supported at this time.*

Board Member Mark Buhrmester said he supports the Text Amendment because they are making improvements upon the program when they make it permanent. The vote is only about the sidewalk cafes. If they don't amend the zoning, they can move forward without the 64 restaurants in the neighborhood that are currently excluded because of zoning.

Edmund Rosenbaum, 1<sup>st</sup> Vice Chair, said that it's not amending, it's removing an entire section. They should rewrite it to be conducive to the businesses now.

Board Member Frank Taylor said that it's "a half-thought-out idea."

Board Member Megan Rockwell said she supports it but expressed her concerns about DOT managing the program. A lot more needs to be discussed.

## September 23, 2021 Community Board 3 Full Board Meeting

Board Member Sonya Davis Roberts said if they are not giving the community anything in writing they shouldn't be trusted.

Board Member Arthur Teiler said he will vote against a text amendment but that he partially likes because it includes permanent shacks.

### **Motion # 55 - NYC's Open Restaurants Program - An application to make sidewalk cafés permanent.**

Upon motion duly made by Hamlett Wallace, seconded by Stephen Kulhanek, to **disapprove** the application was passed with 30 in Favor, 5 Opposed and 0 Abstentions.

### **Business Economic Development. - (Edmund Rosenbaum - Chair)** **S.L.A. New Wine/Beer & Liquor License Applications:**

#### **Letty Almedina - 80-24 Northern Blvd. Jackson Heights (New - Full Liq.)**

Edmund Rosenbaum, Chair of Business Economic Committee, reported that the committee recommends **disapproval** of an application for an on-premises Full Liquor license for this applicant due to the unwillingness of the applicant to agree to a stipulation to stop service of alcohol one hour prior to closing or agree to a closing time consistent with neighboring licensees.

#### **Motion # 56 - Letty Almedina - 80-24 Northern Blvd. Jackson Heights (New - Full Liq.)**

Upon motion duly made by Edmund Rosenbaum, seconded by Kevin Hughes-Noboa, to **disapprove** the application was passed with 29 in Favor, 5 Opposed and 0 Abstentions.

#### **Emily Bar Rest. dba El Pasa Rest. Bar - 35-64 95th St, Jackson Heights (Alt.)**

Edmund Rosenbaum, Chair of Business Economic Committee, reported that the committee recommends **approval** of an application for an alteration of on-premise Full liquor license for this applicant

#### **Motion # 57 - Emily Bar Rest. dba El Pasa Rest. Bar - 35-64 95th St, Jackson Heights (Alt.)**

Upon motion duly made by Edmund Rosenbaum, seconded by, Kevin Hughes-Noboa to **approve** the application was passed with 31 in Favor, 3 Opposed and 0 Abstentions.

#### **La Nueva Troncalena Rest. Corp. dba La Nueva Troncalena -102-10 37th Ave, Corona (Wine/Beer/Cider)**

Edmund Rosenbaum, Chair of Business Economic Committee, reported that the committee recommends **approval** of an application for an on-premise Wine & Beer license for this applicant provided a stipulation has been signed. The Stipulation has been signed.

#### **Motion # 58 - La Nueva Troncalena Rest. Corp. dba La Nueva Troncalena -102-10 37th Ave, Corona (Wine/Beer/Cider)**

Upon motion duly made by Edmund Rosenbaum, seconded by Kevin Hughes-Noboa, to **approve** the application was passed with 29 in Favor, 5 Opposed and 0 Abstentions.

#### **Sabor Peruana II Corp. - 95-13 Roosevelt Ave, Corona (New - Wine/Beer/Cider)**

Edmund Rosenbaum, Chair of Business Economic Committee, reported that the committee recommends **approval** of an application for an on-premise Wine & Beer license for this applicant provided a stipulation has been signed. The Stipulation has been signed.

#### **Motion # 59 - Sabor Peruana II Corp. - 95-13 Roosevelt Ave, Corona (New - Wine/Beer/Cider)**

Upon motion duly made by Edmund Rosenbaum, seconded by Kevin Hughes-Noboa, to **approve** the application was passed with 26 in Favor, 8 Opposed and 0 Abstentions.

#### **Raices Colombianas Corp. dba Raices Colombianas - 86-02 37th Ave, Jackson Heights (New-Full Liq.)**

Edmund Rosenbaum, Chair of Business Economic Committee, reported that the committee recommends approval of an on-premises Full Liquor license for this applicant provided that



## September 23, 2021 Community Board 3 Full Board Meeting

a stipulation has been signed that recorded music volumes will be controlled as not to disturb residents in the neighboring buildings. The Stipulation was signed.

Mr. Rosenbaum said they were approved in 2019. The license got suspended. The cousin of the owner offered a cancellation of license to resolve the COVID violation.

Board Member Sonya Davis Roberts asked about complaints.

Mr. Rosenbaum said that there were complaints to Community Board 3 but not to 311 or NYPD.

### **Motion # 60 - Raices Colombianas Corp. dba Raices Colombianas - 86-02 37th Ave, Jackson Heights (New-Full Liq.)**

Upon motion duly made by Edmund Rosenbaum, seconded by Kevin Hughes-Noboa, to **approve** the application **did not pass** with 16 in Favor, 17 Opposed and 0 Abstentions.

### **Motion # 61- Raices Colombianas Corp. dba Raices Colombianas - 86-02 37th Ave, Jackson Heights (New-Full Liq.)**

Upon motion duly made by Marta Lebreton, seconded by Stephen Kulhanek, to **disapprove** the application was passed with 20 in Favor, 13 Opposed and 0 Abstentions.

### **Chairperson's Report**

Renetta English, Chairperson, read her report:

*In September, many households in our community were severely impacted by Hurricane IDA. On a yearly basis we request in our Capital Budget Priorities a study for the construction of a separate Sewer System. Before 1996, conditions were confined to East Elmhurst or North of Northern Blvd. Now, sewer backup conditions are district-wide. Queens Community Board 3 has also requested increased Department of Environmental Protection sewer and water unit personnel.*

*I would like to personally thank you Community Board 3 Members, Giovanna Reid - District Manager office staff - Keisha Howard and Clara Colon and those in the community that attended our 20 year commemoration of 911 at Travers Park, 115<sup>th</sup> Precinct 911 Commemoration, the Inaugural Immigrant Heritage Month & Immigration Resource Day 2021, National Night Out, NYPD Religious leaders Forum, that launch of the East Elmhurst Community Refrigerator, Louis Armstrong House Museum Block Party and the numerous Street co-namings.*

*Finally, I am proud to announce that on September 22nd – Queens Community Board 3 has launched a new website -- <https://queenscb3.cityofnewyork.us/>. Thank you to AMW Marketing & Design and the QCB3 Technology and Internet Advisory Committee for your work on this project.*

*On September 30, 2021 there will be new Board Member training and committees will be assigned.*

### **District Manager's Report**

District Manager Giovanna Reid announced that on October 4, 2021 there will be new Board Member training.

She encouraged all Board Members to attend the Capital & Expense Budget meeting on October 18<sup>th</sup>.

Ms. Reid announced that the building, where there was an 8-alarm fire, is not going to be converted into a homeless shelter.

Ms. Reid said that Hurricane Ida flooded the district severely. Many resources have been made available to the community. Contact the office for more information.

Ms. Reid said that the reason residents at 89-07 34<sup>th</sup> Avenue are not able to go into their apartments to remove their belongings is because of asbestos removal and that it's not safe.

## September 23, 2021 Community Board 3 Full Board Meeting

### **Motion # 62 - Adoption of the May 20<sup>th</sup> & June 17<sup>th</sup>, 2021 Monthly Minutes**

Upon motion duly made by Renetta English, seconded by Ed Kiernan, to adopt the May 20 and June 17, 2021 Minutes, was passed unanimously.

### **Committee Reports:**

#### **Traffic & Transportation Committee**

Ed Kiernan, Traffic & Transportation Committee Co-Chair, reported that the committee heard concerns from Board Members and residents and would like to send a letter to local Elected Officials and DOT regarding the removal of bus stops from the Q66 route along Northern Boulevard in Corona, East Elmhurst and Jackson Heights.

### **Motion # 63 - To Send a Letter to Elected Officials & DOT Not in Favor of Q66 Bus Stop Removals**

Upon motion duly made by Ed Kiernan, seconded by Stephen Kulhanek, to **disapprove** the removal of Q66 Bus stops was passed unanimously.

#### **Health and Social Services Committee**

Vivian Dock, Health and Social Services Committee Chair, asked the Board Members to send a letter to the Elected Officials not in favor of having a permanent Homeless Shelter near a Junior High School.

### **Motion # 64 - To Send a Letter to Elected Officials and DHS Not in Favor of a Homeless Shelter in the District Near a Middle School**

Upon motion duly made by Vivian Dock, seconded by Marta Lebreton, to **disapprove** having a Homeless Shelter in the District was passed with 28 in Favor, 2 Opposed and 0 Abstentions.

### **Legislators' Report**

#### **NYC Comptroller Office**

James Mongeluzo, representative for NYC Comptroller Office, announced that if anyone wishes to file a claim, they can do so through the Comptroller's website using the property damage-water damage claim form:

<https://comptroller.nyc.gov/wp-content/uploads/2017/02/NYCBLA-PD2.pdf>

or by mail in-person using the property damage-water claim form:

(<https://comptroller.nyc.gov/wp-content/uploads/2020/05/property-damage-loss.pdf>).

Audit on Rain Gardens - <https://comptroller.nyc.gov/newsroom/comptroller-stringer-audit-finds-mismanagement-and-shoddy-oversight-of-city-owned-rain-gardens-by-the-department-of-environmental-protection/>

Reports and Audits from the last few months - <https://comptroller.nyc.gov/reports/>

Contact info: 646-689-6509 or [jmongel@comptroller.nyc.gov](mailto:jmongel@comptroller.nyc.gov)

#### **Office of Council Member Francisco Moya**

TaQuoia Jones, representative for the office of Council Member Francisco Moya, reported that the office was not aware that a shelter was coming. She said that DHS has been dishonest and continues to lie to the community.

### **Motion # 65 - To Adjourn**

Upon motion duly made by Renetta English, and seconded by Frank Taylor, to adjourn the meeting, was passed unanimously. Adjourned at 11:37 p.m.

*Respectfully Submitted by  
Clara Colon*

*Reviewed and Edited by  
Kevin Hughes-Noboa, Board Secretary*