



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

BOARD MEETING

Thursday, November 12, 2015

The Louis Armstrong School
32-02 Junction Blvd, East Elmhurst, N.Y. 11375

ATTENDANCE

Ann S. Brown
Elba Buendia
Vivian Dock
Renetta English
Patricia Glunt
Larinda Hooks
Joyce Hucless-Julian
Stephen Kulhanek
Marta Lebreton
Lynda McDougald
Caridad Mak
Bill Meehan
Lisa Mesulam
Ralph Moreno
Philip Papas
Ladislav Perez
Dorothy Phelan
Fausto Rodriguez
Jairo Rodriguez
Leoncio Romero
Edmund Rosenbaum
David Rosero
Arthur Teiler
Pat Thorpe
Hamlett Wallace
Edwin Westley
Camilo Zamora

ABSENT

Patrick Beckles
Emma Brandt
Sonya Davis Roberts
Shiv Dass
Margaret Dozier
Vasantraj Gandhi
Grace Lawrence
Martin Maier
Laverne Nimmons
Jose Rodriguez
Arturo Ignacio Sanchez
Jimmy Smith
Shanel Thomas
Agha Muhammed Saleh

Guests

Council Member Costa Constantinides
Cheyenne Aguayo, Rep., CM. Julissa Ferreras
Lisa Atkins, Rep., Borough President Office
Lilly Pioche, Rep., Assy. Jeffrion Aubry
Gary Gilbert, Rep., Assem. Michael DenDekker
Barbara Jackson, Rep., Congressman Joseph Crowley
Deborah Carney, Deputy Director, Dept of City Planning
Vivien Krieger, Rep., Cozen O'Connor
Guido Hartray, Architect, Marvel Architects
Robert Siegal, RBA Group

Please note: The next Meeting will be held on Thursday, December 17, 2015 at 7:45PM.

Stephen Kulhanek, Chairman, called the meeting to order at 7:45pm and welcomed all in attendance.

PUBLIC PARTICIPATION

Pat Glunt, conductor of the Jackson Heights Orchestra and Board Member of CB3, announced the following concert dates: November 15th, at St. Joseph in Astoria at 4:00 pm followed by a reception of wine and cheese. There will be a concert on November 22nd, at St. Mark's Church in Jackson Heights. Tickets for the concerts are \$20 at the door and \$10 for kids. Ms. Glunt said they are moving into St Mark's because the orchestra has outgrown Methodist Church. Mr. Kulhanek encouraged the members of the board to attend the performances.

The Chairman introduced Council Member Costa Constantinides. C.M. Constantinides thanked Mr. Kulhanek and Ms. Reid, the District Manager, for their leadership. C.M. Constantinides said he went on a drive along Astoria Blvd with Ms. Reid, David Rosero and Emma Brandt to see firsthand the concerns that have been registered by Board Members. C.M. Constantinides said that a Traffic Safety Town Hall has been scheduled for Wednesday, December 2, 7pm – 9pm at Bruno's On The Boulevard, 88-25 Astoria Blvd. At the Town Hall the community will have opportunity to state their concerns and voice where changes need to be made on Astoria Blvd. The Councilman said that people are needed to roll up their sleeves and state to the Department of Transportation where they can improve traffic safety, create additional crossing or any other concerns. The Councilman thanked Mr. Rosero, Ms. Brandt, Ms. Reid and DOT again for the drive through. He left flyers and wished everyone a Happy Thanksgiving.

PUBLIC HEARINGS

Safe Routes to School – P.S. 92

Robert Siegal, RBA Group, said RBA is working with Department of Design and Construction and DOT for the Safe Routes to School program. He presented the safety improvement plan for the vicinity of P.S. 92, Harry T. Stewart School. He said that one of the major improvements for this project will be the installation of neckdowns. Neckdowns involve bumping the sidewalk out into the roadway 6 feet. Neckdowns have four benefits, increase visibility for pedestrians and drivers, shortening crossing distance to cross the street, calms traffic down and, most importantly, slows turning vehicles. Mr. Siegal said they are proposing medians for pedestrians to have refuge in case they can't cross in time.

Edwin Westley, Board Member, asked whether the project would be extended to the proposed intermediate school at 111th St. and Astoria Blvd. Mr. Siegal replied that his company was hired only for the P.S. 92 project.

Leoncio Romero, Board Member, was concerned that the left turn on 98th Street was going to be eliminated, like the left turn on 96th Street. Mr. Siegal assured they were not eliminating any left turns.

Ladislava Perez, Board Member, said that she finds it difficult to see the medians at night. Mr. Siegal said that sometimes they put lighting at the bump outs but the project design is not complete. However, they add bell shape bump outs with reflectors at the end.

Arthur Teiler, Board Member, said on Northern Blvd he witnessed a car bounce off the corner and zig zag because the concrete is built too wide and almost in the lane. Mr. Seigal said it was built that way for the protection of the pedestrians.

Ms. Perez recommended painting the edges yellow so it is easier to see and might prevent accidents.

Ralph Moreno, Board Member said for many years he had asked for more protection for pedestrians when waiting for the light. He feels that the conditions are the same.

Mr. Kulhanek, Chairman said that DOT postponed discussions on the Q47 bus and 77th Street conversion. It has been scheduled for a later date TBA.

LAND USE – Hamlett Wallace, Chair

BSA CAL # 24-15 BZ – 71-17 Roosevelt Ave, Jackson Heights

Hamlett Wallace, Chair, introduced the representatives for the 71-17 Roosevelt Ave, an application to construct a 15-story building that is as-of-right except for height restrictions due to its proximity to LaGuardia Airport.

Vivien Krieger-O'Connor said that joining her were Guido Hartray, Project Architect from Marvel Architects and the developer of the property, who was in attendance. She thanked Ms. Reid, Mr. Wallace and all of the Land Use committee members. She said the owner will be developing the property as well as managing the building.

Ms. Krieger said the application is for a special permit to construct a 15 – story building at a height of 161' – 3" above ground level. The property is located at 71-17 Roosevelt Avenue in Jackson Heights. The site is approximately 1 ½ miles south of LaGuardia Airport. The proposed project will be a mix of community facilities, retail and residential uses. The proposed height is 225.9 feet. The Federal Aviation Administration, after conducting a thorough review issued a No Hazard Determination. The site is not within the airport circling district but within the airport approach district where the planes land. Mr. Hartray provided views on the building.

A resident asked if they would be renovating the sidewalks because it could be dangerous for people in a wheelchair. Mr. Hartray said that the sidewalks would be replaced and they will work with the owners in the area.

Board Member Ed Westley said that a representative from City Planning Department told Community Board 3 that they were surprised that the building was going to be so high. It will require reinforced concrete, three elevators and be a more expensive materials to erect. The developer will get the same number of apartments. Mr. Hartray said that it might have the same amount of apartments, but they may not have windows.

Jairo Rodriguez, Board Member asked how many parking spaces will be provided. Ms. Krieger said that they are providing 174 spaces but only 162 are required and 50% will be for the residents. Mr. Rodriguez said that there will not be enough

parking spaces for the 155 apartments. He suggested they come up with more ideas to provide additional parking.

Bill Meehan, Board Member asked if they considered how they were going to take garbage out onto the street. Also, he wondered if the sanitation truck was going to be able to go down the alleyway toward the building. The representative said that the responsibility will fall on the management of the building and felt confident that because it's their front door the owner will preserve its appearance.

Giovanna Reid, District Manager asked whether or not there was enough space on the property for alley collections rather than garbage being picked up from street. Ms. Reid suggested they build a driveway wide enough for alley collections. Ms. Krieger was appreciative of the suggestion and said she will definitely look into it. Ms. Krieger ended with wishing everyone Happy Holidays.

CEQR REFERENCE#: 15DCP104Y – ULURP #: N160049ZRY – Zoning for Quality Affordability (ZQA)

Hamlett Wallace introduced Deputy Director Deborah Carney, City Planning Commission. Ms. Carney said there is a housing affordability problem in New York City due to the growing population and the amount of seniors living longer. There is an increasing gap between rents and income. There are insufficient housing projections, limited supply of affordable housing and federal resources are dwindling. To be considered affordable, no more than 1/3 of a month's salary should be spent on rent and utilities. Zoning for Quality and Affordability objectives are utilized to improve the quality of buildings by updating living arrangements and improving construction.

Ms. Carney outlined the important points of the ZQA proposal:

- Allow residential buildings limited additional height – no more than five feet.
- Provide affordable senior housing or inclusionary housing in areas that have been designated for it.
- Introduce a limit on the number of stories for buildings, to ensure that additional stories cannot be squeezed in within these heights.
- Allow buildings a few feet of room to set back from the sidewalk and provide garden areas in front of the building.
- Allow a spectrum of affordable senior housing and care facilities – ranging from independent living to state-licensed facilities like assisted living and nursing care – alone or in combination.
- Make parking optional for new affordable housing units in transit-accessible areas.

CEQR REFERENCE #: 16DCP028Y – ULURP #: N160051ZRY – Mandatory Inclusionary Housing (MIH)

The second text amendment MIH doesn't kick in immediately only when there is an action brought up before City Planning Commission or a special permit in which there is an increase of more than 10 units. Ms. Carney assured that the units are permanently affordable. The text amendment was certified September 21st and is now in review by Community Board. The Borough Board will vote on

this matter on Nov 16th and then it will go to the City Planning Commission for Public Hearing on December 16th. In February it should come before the City Council for their review.

- Affordable housing would be mandatory, not voluntary. Production of affordable housing would be a condition of residential development when developers build in an area zoned for Mandatory Inclusionary Housing, whether rezoned as part of a City neighborhood plan or a private rezoning application.
- Affordable housing would be permanent. There would be no expiration to the affordability requirement of apartments generated through Mandatory Inclusionary Housing, making them a long-term, stable reservoir of affordable housing.

Mr. Wallace opened the floor for questions.

Edwin Westley, Board Member, praised Ms. Carney on her presentation but felt that there was too much flexibility given to the developers and didn't see the sense of taking out parking space for seniors. Ms. Carney said they are leaving the option to the developer, not telling them what to do.

Mr. Wallace added that it adds more flexibility to provide more affordable units if there is a reduction of parking.

Bill Meehan, Board Member, expressed his disappointment that a plan called Housing New York is not addressing the needs of senior housing at the present time.

Dorothy Phelan, Board Member questioned whether the developers are going to live up to their part. Ms. Carney said with confidence that if the developer does not comply they will not get a Certificate of Occupancy. They have to satisfy certain requirements to do so.

David Rosero, Board Member, said that most seniors are not working and won't qualify for the units. He said that by the time the units become available most seniors will be very sick or dead.

Ann Brown, Board Member, expressed concern for the future of her children and grandchildren in New York. She asked who is going to monitor the developer to make sure affordable units are made available. She is also concerned that the developer may have too much flexibility. Ms. Brown feels that more time and thought should be given to this important matter.

Mr. Wallace said there might not be another offer. He said the Board can vote yes to something that is not perfect but has a possibility. Or, vote no and have nothing.

Mr. Westley suggested voting ZQA down and voting yes for MIH because it keeps everyone in the loop.

Bill Meehan, Board Member said that part of the problem is that in the past nothing happened. He recommended that the Board push and let Council Members know they are not happy. The Board should have more time to make their decisions.

Business / Economic / Development – Arthur Teiler, Edmund Rosenbaum, Co-Chairs

Parrilladas Sunrise Bar Corp. – 83-11 Northern Blvd., Jackson Heights, NY 11372(New- Full Liq)

Edmund Rosenbaum, Business Economics Co-Chair, called upon the owner of Parrilladas Sunrise Bar Corp.

The owner said he hopes to get a liquor license for his second business. Ladisla Perez asked about summons issued. The owner's daughter explained that in May 2014, the family had a party in her honor in the basement of their business. The owner did not know that alcohol could not be on the premises. The owner is now paying the fine.

Lalile Steakhouse – 91-01/05 Astoria Blvd., East Elmhurst, NY 11369 (New – Full Liq)

Edmund Rosenbaum, Business Economics Co-Chair, called upon the owner of Lalile Steakhouse.

The owner and his daughter stated that they have a successful restaurant business in the Dominican Republic. They want to keep the legacy going by opening a restaurant in Queens.

Bill Meehan, Board Member asked why their request was denied in the past. The explanation was that State Liquor Authority denied them because of the hours of operations.

Edwin Westley, Board Member asked Mr. Rosenbaum why SLA and Community Board denied their application. Mr. Rosenbaum stated the hours of operation, residential location, and the committee did not believe it was going to be a restaurant due to the size of the kitchen.

The owner's daughter assured everyone that there will be a three drink limit like they have in the restaurant in the Dominican Republic.

Dorothy Phelan, Board Member asked if they were open now and had anything to do with the restaurant that was there before. The owner's daughter said they were not open now and there was no connection at all.

Edwin Westley, Board Member said he understood that the restaurant had a capacity of 100. The attorney for Lalile Steakhouse said that it can accommodate up to 190. They only have table and chairs to accommodate 82 people.

Namaste Chautari, Inc. – 74 – 15 Roosevelt Avenue, Jackson Heights, NY 11372 (New – Wine/Beer)

The applicant was not present.

Sompong Thai Inc. – 37 – 09 83rd Street, Jackson Heights, NY 11372 (New – Wine/Beer)

The owner's representative Sandra Olaya said the owner has two restaurants and is a good neighbor. The owner said that she loves Jackson Heights and added another restaurant on September 30th.

Executive Session

Stephen Kulhanek, Chairman, opened Executive Session with the Pledge of Allegiance.

Motion #62 – Adoption of the November 12, 2015 Agenda

Upon motion duly made by Stephen Kulhanek, seconded by Martha Lebreton, to adopt the agenda, was passed unanimously.

Motions by Committee

Traffic and Transportation (Stephen Kulhanek, Chair)

Stephen Kulhanek reported that the committee recommends the proposal for Safe Routes to School for P.S. 92 be approved.

Motion #63 Safe Route to School for P.S. 92, Harry T. Stewart School

Upon motion duly made by Stephen Kulhanek, seconded by Marta Lebreton, for approval of proposed Safe Route to School was passed unanimously.

Land Use (Hamlett Wallace, Chair)

BSA CAL # 24-15 BZ – 71-17 Roosevelt Ave, Jackson Heights

Hamlett Wallace, Chair, restated that 71-17 Roosevelt Avenue, Jackson Heights, New York, Roosevelt 5 LLC – Owner, is seeking a Special Permit to construct a 15-story building.

The FAA has issued a No Hazard Determination stating the building does not constitute a hazard to any existing or planned airports or airways, passenger safety, building occupant or existing buildings.

Chairman Wallace reported that the committee recommends that the application be approved.

Motion #64 – BSA – CAL # 24-15 BZ -71-17 Roosevelt Ave, Jackson Heights, NY 11372

Upon motion duly made by Hamlett Wallace, seconded by David Rosero to approve the application to construct a 15 story building with the following provisos:

1) The owner must make provisions for alley collection of their residential refuse in order to avoid adversely affecting the appearance and sanitary condition of 72nd Street, which is primarily residential.

2) The owner must provide ample parking for their tenants. In addition, tenants must have the right of first refusal for onsite residential parking. It is well known that parking in our district is at a premium and particularly in the area where the proposed new building will be constructed.

With a vote of 23 in favor, 2 opposed and 1 abstention, the motion to approve the application with the aforementioned stipulations was passed.

Department of City Planning – Zoning for Quality and Affordability (ZOA)

Hamlett Wallace reported that the committee recommends that the application be approved.

Discussion Ensued:

Arthur Teiler, Board Member, said that lack of parking is a deal-breaker for him.

Mr. Hamlett said that one item should not kill the whole project for senior housing is not perfect but it's something.

David Rosero, Board Member said he believes that saying it's for seniors is just to make it look good.

Mr. Leoncio Romero, Board Member, said this is a compromise; since the City doesn't have money, they go to who has money, which are the developers and contractors. It's the only way affordable housing will be built.

Mr. Romero said the Board should vote yes and get something out of it.

Edwin Westley, Board Member, said the elephant in the room that was not mentioned is that the developers get a subsidy for doing the right thing for the neighborhood. The community gets very little flexibility but the developers get it all, plus money.

Mr. Wallace said after all is said and done, a senior gets a place to live.

Motion # 65 CEQR REFERENCE#: 15DCP104Y – ULURP #: N160049ZRY – Zoning For Quality and Affordability (ZQA)

Upon motion duly made by Hamlett Wallace, seconded by Edwin Westly to approve the application was passed with a vote 16 in favor, 11 opposed and 0 abstentions.

Department of City Planning – Mandatory Inclusionary Housing

The Land Use Committee after review recommended the proposal for Mandatory Inclusionary Housing be approved.

**Motion #66 CEQR REFERENCE # : 16DCP028Y – ULURP # : N160051ZRY
Department of City Planning – Mandatory Inclusionary Housing**

Upon motion duly made by Wallace Hamlett, seconded by Stephen Kulhanek, to approve the proposal for MIH was passed with a vote 16 in favor, 11 opposed and 0 abstentions.

Stephen Kulhanek, Chairman, praised Wallace Hamlett for doing a good job and said that no matter what opinion anyone has, the process is not easy. Ralph Moreno, Board Member congratulated Mr. Wallace and the Land Use Committee.

Chairman Kulhanek called upon Business and Economic Development Committee Co-Chair Edmund Rosenbaum.

Parrilladas Sunrise Bar Corp. – 83-11 Northern Blvd., Jackson Heights, NY 11372(New- Full Liq)

Edmund Rosebaum, Co-Chair, informed the Board that the committee recommends that the application be approved.

Motion #67 - Parrilladas Sunrise Bar Corp. – 83-11 Northern Blvd., Jackson Heights, NY 11372(New- Full Liq)

Upon motion duly made by Edmund Rosenbaum, seconded by Philip Papas, for a Full Liquor license was passed with a vote of 26 in favor, 1 opposed and 0 abstention.

Lalile Steakhouse – 91-01/05 Astoria Blvd., East Elmhurst, NY 11369 (New – Full Liq)

Edmund Rosebaum, Co-Chair, informed the Board that the committee recommends that the application be disapproved.

Mr. Rosenbaum said the applicant has come to the Board three times.

Dorothy Phelan, Board Member, asked when the last time the applicants came before the board was.

Edmond Rosenbaum, Co-Chair said Lalile Steakhouse was last seen in front of the Board in May 2014.

No substantial changes were made to the application.

Motion #68 Lalile Steakhouse – 91-01/05 Astoria Blvd., East Elmhurst, NY 11369 (New – Full Liq)

Upon motion duly made by Edmund Rosenbaum, seconded by Marta Lebreton to disapprove the application, was passed with a vote 17 in favor, 6 opposed and 4 abstentions.

Lisa Mesulam, Secretary, asked Elba Buendia, and Lydia McDougald, who abstained, if they like to comment. Both indicated that they did not know why the establishment was denied the first time.

Namaste Chautari, Inc – 74 – 15 Roosevelt Ave, Jackson Heights, NY 11372 (New – Wine/Beer)

Edmund Rosenbaum, Co-Chair, said the applicant was not present and therefore the matter will be taken up in December.

Sompong Thai Inc. – 37 – 09 83rd Street, Jackson Heights, NY 11372 (New – Wine/Beer)

Mr. Rosenbaum reported that the committee recommends that the application be approved.

Motion #69 Sompong Thai Inc. – 37 – 09 83rd Street, Jackson Heights, NY 11372 (New – Wine/Beer)

Upon motion duly made by Edmund Rosenbaum, seconded by Bill Meehan, to approve the application for a wine/beer license was passed with a vote of 27 in favor, 0 opposed and 0 abstentions.

Chairperson Report

Stephen Kulhanek, Chairman, said that it is that time of year again that a nominating committee be appointed. He said the following Board Members will serve on the nominating committee: Vivian Dock, Fausto Rodriguez, David Rosero, Renetta English and Philip Papas. Anyone who is interested in becoming an officer of the Board should reach out to them.

District Manager's Report

District Manager Reid wished everyone a Happy Thanksgiving.

Motion #70 – Adoption of the October, 2015 Monthly Minutes

Upon motion duly made by Stephen Kulhanek, seconded by Bill Meehan, to adopt the October Monthly Minutes, was passed unanimously.

Borough Presidents Report

Lisa Atkins said that the Borough President extends her thanks to all Board Members for their service. She left flyers about the State of the Borough Address that is scheduled for January 21, 2016.

Legislators Report

Cheyenne Aguayo, from Council Member Julissa Ferreras office, informed the Board that the Council Member has partnered with the Mayor's Community Affairs Unit to host a Town Hall for Small Businesses on November 19th. The businesses will learn about City programs and services geared to helping small businesses.

Motion #71 – Motion to Adjourn

Upon motion duly made by Stephen Kulhanek and seconded by Edmund Rosenbaum to adjourn the meeting, was passed unanimously.

The meeting was closed at 10:15 PM.

Respectfully Submitted by
Clara Colon