



The City of New York
Community Board 3, Queens
82-11 37th Avenue, Suite 606
Jackson Heights, NY 11372
Tel: 718.458.2707 Fax: 718.456.3316
www.CB3QN.NYC.GOV

Vasanthrai Gandhi, Chairman

Giovanna Reid, DM

BOARD MEETING

Thursday, April 19, 2007

**at: I.S. 227, The Louis Armstrong School
32-02 Junction Boulevard
East Elmhurst, N.Y.**

PRESENT

Patrick Beckles
Earline Berry
Mizanoor Biswas
Emma Brandt
Charles Castro
Howad Dent
Vivian Dock
Vasanthrai Gandhi
Judy Grubin
Stanley Kalathara
Lorraine Kresse
Stephen Kulhanek
Grace Lawrence
Marta Lebreton
Ana Lopez
Marta Lebreton
Martin Maier
Lisa Mesulam
Ralph Moreno
Michael Anthony Nardiello, III
Alfonso Quiroz
Joseph Ricevuto
Leoncio Romero
Edmund Rosenbaum
David Rosero
Mary Sarro
Jimmy Smith
Arthur Teiler
Hamlett Wallace
Edwin Westley
William Young
Jorge Zamora

Giovanna Reid, District Manager
Irene Voss, Recorder

ABSENT

Khaleeq U. Arshed, M.D.
Cristina Borrero
Ann S. Brown
Richard Cecere
Shiv Dass
Margaret Dozier
Darryl Hoss
Joyce Hucless-Julian
Norma Jimenez
Dr. Arturo-Ignacio Sanchez
Patricia Thomas
Orlando Tobon

GUESTS

Jennifer Silverman, Farm Spot Program
Bridget Fisher, Chief of Staff, C.M. H. Monserrate
Thomas Lowenhaupt, Internet Empowerment
John Chen, Architect and
Edward Valentin, Proprieter, 76-19 Roosevelt Ave.

Ivonne Garcia, Boro Pres. Office
Maureen Allen, Chief of Staff, Assy. I. Lafayette
Veta Brome, District Leader
Barbara Jackson, District Leader
Fior Rodriguez. Cong. G. Ackerman

Vasantrai Gandhi, Chairman, opened the meeting at 7:45 p.m. and proclaimed a moment of silence for the 34 victims of the Virginia Tech massacre.

Public Participation

Jennifer Silverman represented “Farm Spot”— A Jackson Heights Community Supported Agriculture Program. Members of the Program pay Long Island farmers a 27-week annual membership share of \$525 to cover the production costs of the farm. In turn, members receive a weekly share of local fresh produce (for a family of four) during the local growing season. The arrangement guarantees the farmers financial support and enables many small/moderate-scale organic farms to remain in business. You can sign up at www.farmspot.org.

Public Information

Bridget Fisher, Council Member Hiram Monserrate’s Chief of Staff, announced the new location of the Councilman’s office at: 32-37 Junction Boulevard, East Elmhurst.

Ms. Fisher further advised that the Councilman would like the Board to consider a resolution initiated by him in the FY/2008 City Council budget process. Councilmember Monserrate, as Chairman of the Veterans Committee, has requested five million dollars for five one-stop veterans resource centers in all of the five boroughs. Veterans from prior wars, as well as those returning from Iraq and Afghanistan, can take advantage of the centers. The centers would provide access to valuable services on issues that they face upon their return and which they so justifiably deserve.

Internet Empowerment Resolution -- N.Y.C.

Tom Lowenhaupt briefed the Board on a resolution (**get .nyc**) that was passed by C.B. #3 on April 19, 2001: He spoke about “TLD -- Familiar Top Level Domains, i.e. www.cb3qn.nyc.gov; www.cbsnews.com; www.MAS.org; .net, .biz, .edu, .info. C.B. #3 uses .gov. These are Second Level .coms. of which there are 60,000,000. Every country has a TLD, i.e. .us; .uk; .fr; .tv. The City of New York does not have a TLD (**.nyc**). Good Domain Names (**.nyc**) are short; descriptive; memorable; identifying and in proximity, (to make it easier to find things, i.e. www.schools.nyc; www.hotels.nyc). On April 10, 2007, with the approval of a number of organizations, the not-for-profit “**Connecting.nyc Inc.**”, corporation was formed.

Vasantrai Gandhi introduced newly appointed Board Members, Ms. Mary Sarro and Mr. Stanley Kalathara.

Mr. Gandhi introduced Ms. Judy Grubin, Board Member, past Chair and present parliamentarian. The parliamentarian, when needed, will guide and encourage members to focus discussions directly on the issues involved.

PUBLIC HEARINGS

(Land Use – Hamlett Wallace, Chairman)

BSA Cal. No. 199-00 BZ – 76-19 Roosevelt Avenue (Club Atlantis)

An application for the renewal for a special permit to allow a eating and drinking establishment (cabaret).

Hamlett Wallace, Chair advised that the applicant seeks a special permit to allow continued cabaret use in a C 2-4 District. He introduced Mr. John Chen, the Architect representing the operator of Club Atlantis, Mr. Edward Valentin. He noted that Mr. Valentin is not the owner of the premises.

Mr. Chen advised that because there will be dancing on the premises, a special renewal permit is required by BSA. The permit expired in March 2007.

The premises is located in the center of an R-5 zoning district, commercial use. The cellar space is approved to hold a maximum of 200 people waiting to be served on the first floor, the eating/ drinking and cabaret area. In March of 2004, a special permit for a 3-year extension was granted. At that time, there were specific stipulations:

- The premises be kept clean and graffiti-free;
- 2 trees planted at 77th Street and Roosevelt Avenue;
- No beverages/food or furniture permitted in the basement waiting area;
- Provide downward lighting to reflect away from the residential neighborhood.

Mr. Chen noted that the operator of the club does not have the legal right to plant trees on the property--only the property owner has that right. A sworn affidavit was submitted by the owner stating that no trees be planted on the sidewalk because of underground electrical, water and gas installations.

A resident inquired – Instead of trees, why can't planters be placed in front of the club?

A. *Mr. Valentin, the club owner, advised that he purchased pine tree planters three years ago -- unfortunately, after three days the planters were stolen.*

Judy Grubin questioned the occupancy of 200 patrons allowed by law in the cellar waiting area.

A. *Mr. Chen advised that the cellar is intended for accessory use only; it is a temporary holding area in the event that more than 100 people show up at one time. The maximum occupancy is 200 patrons for both floors.*

A resident inquired about emergency fire exits in the basement waiting area.

A. *There are two emergency exits leading up to street level; one exit faces Roosevelt Avenue, the second exit faces 77th Street. In accordance with N.Y.C. Fire Codes each emergency exit can safely hold 100 people.*

Augusto Tiongson, a resident, stated that the club's proprietor came to this Board for a variance. It is his responsibility on how he deals with the owner. The Board does not want to hear excuses. As a pre-condition for approval, the Board should oppose this permit unless it is stipulated that trees be provided.

Alfonso Quiroz, a Con Ed employee, stated that in many instances trees cannot be planted on New York City streets because of underground pipes and utility lines. It would take many months of construction to move the lines. He further stated that the proprietor is a good businessman and does contribute to the community.

Edwin Westley stated that the proprietor, as a good neighbor, must talk to the owner and do whatever it takes to get the trees planted. This Board does not need excuses -- it will not approve the application until a commitment is made to do so. He further noted that the issues involved in this application are simple -- the architect's detailed presentation went on far too long.

Grace Lawrence stated that the owner can apply for a street tree planting permit through the Department of Parks & Recreation. The City will make the determination if it is feasible to dig a tree pit at that location.

Mr. Valentin stated that as a renter he went directly to the owner for permission to plant trees -- the owner refused. He further stated that he himself will apply for a street tree permit. If it cannot be done, he stated that he had no problem with again placing 2 heavy planters on 77th Street and Roosevelt Avenue.

S.L.A. Liquor License Applications

(Business Economic Development Committee – Shiv Dass and Arthur Teiler, Co-Chairs)

An On-Premise Liquor License Application was filed with the S.L.A. for the following establishments:

- Papa's Empanada — 84-17 Northern Boulevard (beer license)
- Café 104 – 39-14 104th Street (wine/beer license)
- El Nuevo Milano – 97-07 37th Avenue (wine/beer license)
- Angelita Restaurant, 107-01 37th Avenue (wine/beer license)

Arthur Teiler, Committee Co-Chair, advised that none of the four applicants showed up to the Committee meeting. Further, not one of the applicants called to advise that they were not able to attend. Under the circumstances, he advised that the applications be postponed until a further date.

Marta Lebreton noted that Café 104 was previously operating as a coffee shop. It presently operates as a bar with a church that is in close proximity. The Board should oppose the application.

Judy Grubin stated that since the applicants were informed and subsequently failed to show up at the Committee meeting, the Board should deny the application. To postpone the matter is a waste of the Board's time, she said..

Giovanna Reid advised that letters were sent out to each of the applicants informing them of the Committee meeting. The district office also contacted some of the businesses directly where they confirmed that they would attend the meeting. They were a no-show however. Notices were sent to Angelita's Restaurant both in March and in April.

Recognition Ceremony

Chairman Vasantrai Gandhi, Hamlett Wallace and Stephen Kulhanek presented plaques of appreciation for "outstanding service" in the community honoring former Board Members, Mr. Augusto Tiongson, past chair of the Land Use Committee; and Mr. Thomas Lowenhaupt, past chair of the Technology Advisory Committee.

EXECUTIVE SESSION

Marta Lebreton requested that the Agenda be amended to include Youth Service Planning Committee.

Motion #15 -- 2007 Adoption of the April 19, 2007 Agenda

Upon motion duly made by Emma Brandt, seconded by Vivian Dock and unanimously carried, the amended Agenda was adopted.

MOTIONS BY COMMITTEELand Use

BSA Cal. No. 199-00 BZ – 76-19 Roosevelt Avenue (Club Atlantis) -- An application for the renewal for a special permit to allow a eating and drinking establishment (cabaret).

Hamlett Wallace, Committee Chair, advised that there were no complaints or outstanding violations on this establishment. The club is an existing establishment with a liquor license and proper C. of O. The Committee recommends that the application be approved.

Judy Grubin inquired if the Board is going to change the resolution to include the amendment? She recommended that planters be provided and the resolution be amended to include the planters.

Motion #16 -- 2007 -- BSA Cal. No. 199-00 BZ – 76-19 Roosevelt Avenue (Club Atlantis)

Upon motion duly made by Hamlett Wallace, seconded by Judy Grubin, with a vote of 20 in favor, 12 abstentions and one opposed, to approve the application to renew the permit for cabaret use with he proviso that 2 trees are planted.

Business Economic Development Committee
S.L.A. Liquor License Applications**Motion #17 – 2007 – S.L.A. Liquor License Applications**

An On-Premise Liquor License Application was filed with the S.L.A. for the following establishments:

- Papa's Empanada — 84-17 Northern Boulevard (beer license)
- Café 104 – 39-14 104th Street (wine/beer license)
- El Nuevo Milano – 97-07 37th Avenue (wine/beer license)
- Angelita Restaurant, 107-01 37th Avenue (wine/beer license)

Vasantrai Gandhi advised that the Board does not have grounds to deny the four liquor license applications without a fair hearing. We must give them another opportunity.

Upon motion duly made by Marta Lebreton, seconded by Judy Grubin, with a vote of 22 in favor, 4 opposed and 4 abstentions, to deny all four liquor license applications.

Abstentions:

Leoncio Romero stated that the Board cannot approve or deny unless we have constructive discussion with a public hearing.

David Rosero stated that Board members should give ample reason why a business should or should not have a liquor license. A vote to approve or disapprove has to be based on the facts.

District Manager's Report

Giovanna Reid welcomed the new Board members, Ms. Mary Sarro and Mr. Stanley Kalathara. She requested Board Members to fill out and return the green "Committee Assignment" sheets that were handed out. She advised that in the Board Members' packets is a listing of street closing dates and locations for the month of May.

Mr. Gandhi advised that there will be a C.B. #3 Town Hall Meeting on Wednesday, May 23, 2007, 6:30 p.m., at First Baptist Church. He urged all Board Members to attend.

Motion # 18 -- Adoption of the March 15, 2007 Monthly Minutes

Upon motion duly made by Grace Lawrence, seconded by Emma Brandt and unanimously carried, the March Minutes were adopted.

Committee Reports**Parks**

Grace Lawrence, Chair reported that a Committee meeting will be held on May 2nd at the District Office. Two items on the agenda for discussion -- to establish a committee to operate the proposed dog run site and; to discuss the installation of a plaque in the One-Room School House Park in honor of Phil Saccone.

Health S/S

Vivian Dock, Co-Chair, reported that there was a meeting held on April 4th. Discussed at the meeting were two new programs that are coming into our district – Urban Health Planning Corp. and Wyckoff Heights Medical Center. Wyckoff, as well as Urban Health, will do a presentation at the May 17th Board Meeting. A description of both programs is included in the Health S/S Minutes. Vivian Dock further advised that they are eagerly planning C.B. #3's annual Leon von Holden Health Care Expo, to be held on June 2nd. Each Board Member was given a volunteer participation response form to fill out. She urged Board Members to return the form as soon as possible. The next Committee meetings are scheduled for April 24th, May 1st, May 15th, and May 29th. Everyone is invited to come – all suggestions are welcome in an effort to make this year's event even better than last year's.

YSPC

Marta Lebreton, Co-Chair, reported that C.B. #3 had a very successful Business Youth Convention on March 22nd. Some participants included, N.Y. Mets, White Castle, Ana Lopez's organization and a wonderful speaker, Journalist Julia Barrett. She thanked the Committee and District Office staff for their hard work. Marta further reported that there will be an "open house" on May 12th at the 115th Community Council.

On behalf of Jimmy Smith, Giovanna Reid reported that Elmcors is having a grand reopening of their facility on Friday, April 27th from 1:00 to 5:00 p.m. All are invited to attend.

There being no further business, Vasantraï Gandhi, Chairman, closed the meeting at 9:35 p.m.

Respectfully submitted,

Irene Voss