

The City of New York  
**Queens Community Board 3**  
82-11 37<sup>th</sup> Avenue, Suite 606, Jackson Hts, New York 11372

**BOARD MEETING**

**Thursday, March 16, 2006**  
**School**

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

**PRESENT**

Mizanoor Biswas  
Emma Brandt  
Richard Cecere  
Shiv Dass  
Howard Dent  
Vivian Dock  
Vasantraï Gandhi  
Luis Gomez  
Judy Grubin  
Darryl Hoss  
Joyce Hucless-Julian  
Norma Jimenez  
Capers Johnson  
Edward Kiernan  
Lorraine Kresse  
Stephen Kulhanek  
Grace Lawrence  
Marta Lebreton  
Thomas Lowenhaupt  
Joseph Ricevuto  
Leoncio Romero  
Arturo-Ignacio Sanchez, Ph.D.  
Jimmy Smith  
Recreation--  
Arthur Teiler  
Augusto Tiongson  
Outreach  
Edwin Westley  
Jones  
Hamlett Wallace  
William Young  
Heinemann Assoc.  
Jorge Zamora  
Sears  
Giovanna Reid, D.M.  
Irene Voss

**ABSENT**

Khaleeq Arshed, M.D.  
Patrick Beckles  
Jose Bernal  
Earline Berry  
Cristina Borrero  
Margaret Dozier  
Blanca Fonseca  
Annette Hicks-Gill  
Ana Lopez  
Martin Maier  
Lisa Mesulam  
Ralph Moreno  
David Rosero  
William Salgado, Esq.  
Felicita Santiago  
Patricia Thomas  
Orlando Tobon  
Benninida Yagual

**GUESTS**

LeRoy Temple, N.Y. Parks &  
Lifeguard Recruitment  
Monique Albert, HANAC, Lead  
Patrick Jones, Esq., Petraro &  
Ran Rosenbaum, Architect  
Jim Heinemann, Leonides,  
Scott Kirkland, Rep. C.M. Helen  
Walter McCaffery  
Ken Lee, Architect

Ivonne Garcia, Borough President's Office  
Fior Rodriguez, District Leader  
Maureen Allen, Rep. Assemblyman Ivan Lafayette  
Murlaina Tindall, Assemblyman Jeffrion Aubry  
Vita Broon

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Vasantrai Gandhi, Chairman, opened the meeting at 7:50 p.m. He apologized for the late hour and opened the *Public Information* session.

### **Public Information**

Mr. Gandhi introduced Mr. LeRoy Temple of New York Parks & Recreation, Lifeguard Recruitment.

Mr. Temple advised that lifeguard recruitment program is currently in full swing for summer 2006. The Parks Department is looking for young people who are at least 16 years and older. In order to keep the eleven million people who currently use our city beaches and pools safe, approximately 1200 lifeguards are needed to cover all of the city's beaches and pools. If anyone is interested to work at the beaches and pools this summer, a free "qualifying exam" is being offered from Monday through Friday, at the West 59<sup>th</sup> Street Recreation Center, 533 West 59<sup>th</sup> Street in Manhattan. In order to qualify for the training you must – be able to swim 50 yards in 35 seconds; have a minimum of 20/30 vision in one eye and 20/40 in the other without corrective lenses and be at least 16 years old. You must successfully complete 40 hours of training and a CPR course to become certified as a New York City lifeguard. If you successfully complete the course you are guaranteed a job. Lifeguards work 48 hours each week and first-year lifeguards earn at least \$10.71 an hour. Mr. Temple advised that many dedicated lifeguards return year after year because of the skills they develop, the contacts they make and because of the gratification they feel saving lives. For further information you can go to their website – [www.nyc.gov/parks](http://www.nyc.gov/parks).

The Chairman introduced Monique Alberti, representing HANAC's, Inc. Lead Outreach Program

Ms. Alberti advised that in the past three decades the City of New York has come a long way in its fight to reduce childhood lead poisoning. Despite this effort it is still a serious problem in which boroughs such as Brooklyn and Queens are disproportionately affected. Western Queens has the second highest incidence of childhood lead poisoning in the city. As a result, HANAC, Inc., a not-for-profit organization in Astoria, Queens, was awarded an education and outreach grant by HUD. This grant has afforded HANAC, Inc. the opportunity to offer free lead awareness seminars and free lead hazard reduction for Queens throughout the month of March. Lead education topics that will be covered are: Healthy Homes; Local Law 1; Lead Awareness & Visual Inspection; Lead-Safe Work Practices. Flyers were distributed for dates and location of the training courses.

### **PUBLIC HEARINGS**

Vasantrai Gandhi opened the Public Hearing session and introduced Land Use Committee Chair, Augusto Tiongson.

**BSA-131-05-BZ – 72-01/72-11 Roosevelt Ave.; 37-61 / 37-69 72<sup>nd</sup> Street; 762-18 Broadway (Broadway Plaza)**

An application for variance relief for parking and zoning requirements that would allow for a five-story office-retail building and catering hall.

Augusto Tiongson introduced Patrick Jones, Esq., Petraro & Jones, the law firm that made the application for the development project. Mr. Jones introduced Ran Rosenbaum, Project Architect, who gave a slide presentation of the proposed building plan/project. Mr. Jones also introduced Walter McCaffrey, a former councilman, who is a consultant for the project.

Mr. Jones advised that he has gone through quite a long process with the Land Use Committee. He stated that the Committee was quite detailed and thorough in reviewing the proposed changes and improvements that were presented to them. Since this property is a very unusual property, it took quite some time just to bring this application forward and to work with the Land Use Committee to get to where we are now, he said.

Ran Rosenbaum, Architect of Rosenbaum Design Group, presented a slide presentation of design concepts for the proposed development. He stated that the lot as it presently stands is underutilized and needs to be enhanced. The property is an odd-shaped parcel which jags out on all three sides -- (Broadway; Roosevelt and 72<sup>nd</sup> Street). Mr. Rosenbaum pointed out the proposed design concepts in the slide presentation:

- The Sub-Cellar – Valet Parking – All parking will be coming in from 72<sup>nd</sup> Street.
- The First Floor Level – Retail Stores -- An entry vestibule on Broadway, as well as on Roosevelt Avenue that leads into a walk-in central mall area with a garden area. There will be two escalators, a monumental staircase to the next level, three elevators, public washrooms, three loading berths and a ramp that goes down to the parking lot below.
- The Second Floor Level – More Retail Stores – will have an opening to a garden area that continues from below. There is the option for a tenant to take both the first and second floor to make it one retail space.
- Above the second floor retail space there will be two open-up roof-top gardens with a balcony overlooking Broadway for outdoor ceremonies.
- The Third Floor Level – 2 Banquet Halls – Room #1 has a seating capacity for 200 guests; Room #2 has a 210 seating capacity. Each room will have a dance floor, a stage area and storage closets.
- Food will be cooked off-premises – it will be delivered to the premises, prepped and heated-up in the kitchen area. The third-floor level is the only level that will provide catering.
- The Fourth and Fifth Floor Level will be office space.
- Street trees/landscaping will be planted on all three sides of the property, further enhancing the building's appearance.
- The entire building will be finished with light-weight, durable, marble-like granite panels.
  
- The standard code allows (as of right) parking stalls 18' x 16' in depth, by 8' x 6' in width and a 24' driveway aisle for two-way traffic. The study showed that by taking two of the most popular cars and reducing the depth to 17 feet, the standard parking space would allow enough space and would be even less than the standard code, which is what a valet actually uses.

Mr. Jim Heinemann, of Leonides, Heinemann Associates, conducted the traffic study for the project. He stated that in the course of several meetings with the Land Use Committee, the main issue was to increase the availability of parking on the site. He stated that each use generates a parking requirement depending on the nature of the use. In this case there are three -- Retail, Office and Catering, i.e.

office parking -- 8:00 a.m. to 6:00 p.m.; retail stores -- mid-day into evening; a catering facility—largely evenings, particularly on weekends. Public transportation is abundant and easily accessible; the phenomenon is that you don't have to drive to get there, he said. The highest parking and auto usage demand would be attributed to the catering facility on weekends, during evening hours.

Mr. Jones stated that if they were to use the calculation required by the city's zoning law, (200 per square feet per vehicle), they would be limited to 166 parking spaces. This falls short of the number of parking spaces that these types of uses would require under the zoning law. Mr. Jones further stated that they want to ask BSA and the Community Board to allow them to go higher than the maximum number of 166 spaces. They want to use the average smaller space of 150 square feet per space to attain a Certificate of Occupancy for a maximum number of up to 276 vehicles.

Discussion ensued from the public:

Ed Callery, a resident of the Birchwood House Co-op stated -- Traffic congestion on 72<sup>nd</sup>/73<sup>rd</sup> Streets and Broadway on weekends is horrendous. Driveways are continuously blocked by illegally parked cars. How will traffic improve with a banquet hall in the area, even if a parking facility is provided? It's unrealistic to believe that people will take mass transportation to go shopping at the retail stores. What are the stats on how the traffic will flow? On behalf of the Birchwood House, Mr. Callery stated that the residents are opposed to the variance.

*Mr. Rosenbaum stated that they have done a traffic / pedestrian study in the area on weekends. The development to the lot line is an as-of-right permissible development. The traffic flow (the direction of traffic) will not change.*

Yvonne Plummer, a member of the Birchwood House stated that this project is an architect's dream and a resident's nightmare. In addition to the terrible traffic, it is an artery to the trauma unit at Elmhurst Hospital Center. She is opposed to the application.

Sabrina Washira, a commercial real estate broker, stated that this property is underutilized and the area residents should stop and think that maybe something better can come out of it. This project is a great way to build up the community and invite new business. Jackson Heights is multi-ethnic and is a busy area -- the hustle and bustle is what gives it the flavor.

Scott Kirkland, representing Councilmember Helen Sears, read a prepared statement on her behalf.

An excerpt from the statement reads as follows: ....*"As the project has matured it has met the requests and reservations expressed by the committee members, and therefore the community as a whole. It has transformed into a visually beautiful building as well as one that will be a pillar of the community. ....*

*I encourage the members of this community board to vote to approve this project."*

Jamel Aberdeen, a resident of Jackson Heights stated that the project will generate lots of jobs and revenues. It will be very beneficial for the people of Jackson Heights.

Mr. McCaffrey, a former City councilman, stated that he understands the concern that residents have about traffic congestion and noise from the ambulances getting to Elmhurst Hospital Center.

He further stated that there are times during the year when the banquet facility will not be used.

The developers are taking everything into consideration.

Mary Sarro, member of the Land Use Committee and community resident, stated that there is a serious problem with livery cabs in the area – we need more traffic enforcement. She added that the office/retail project is good for the community and we should support it.

Judy Grubin stated that “as of right” they are a good neighbor. She inquired about the loading zones? -- What about the big delivery trucks coming in?

*Mr. Rosenbaum stated that there will be loading berths in the 72<sup>nd</sup> Street corridor leading up to the third-floor kitchen. Garbage/trash will be kept in trash rooms inside of the building—no trash will be put out at curb-side.*

*In reply to a question about the hours of catering, Mr. Rosenbaum stated that it won't be a 24 / 7 building*

*-- the hours will fluctuate. It would not be practical to have the building occupied all of the time.*

Lorraine Kresse inquired if it's permissible for people from the banquet hall to smoke on the terrace?

Dr. Sanchez – Although traffic is a big issue, he compliments the project's urban design. The tax base will go up – it is a high ordered use that has multiple effects.

Ed Westley – Councilwoman Sears and Congressman Crowley has promised to give us a traffic report which will be paid with taxpayers' money. The report will ultimately say that there are too many cars in the area. To say that this project is not going to increase traffic is ludicrous. The merchants are dependent on people coming from outside of the neighborhood. It is a checkpoint for traffic.

*Scott Kirklan, Councilmember Sears' representative, stated that the traffic report will be funded with federal dollars, not local dollars.*

Jimmy Smith advised that we turned this project down because the number of loading berths and parking criterion are the two major issues of concern.

Darryl Hoss stated that by using Civics and Corollas they are presenting the best case scenario using a maximum of 276 parking spaces.

Shiv Dass stated that the way it is now, the lot is a junk yard. He supports the development because it will create jobs and upgrade the neighborhood. Hopefully, they will take care of the parking issue.

Tom Lowenhaupt stated that cars are already backing up on 75<sup>th</sup> Street -- a catering facility on a Sunday afternoon, with a church nearby, would be a disaster. We have to look to the needs of

the community. Another set-back is the number of private homes on 72<sup>nd</sup> Street that will face a big ugly wall – the residents will not see sunlight again. The project needs to conform with the existing structures.

### **BSA 27-06A – 23-83 89<sup>th</sup> Street / 23-81 89<sup>th</sup> Street**

An application to construct two (2) two-family homes on a mapped street and amend BSA 160-02a (24-01 89<sup>th</sup> Street) and BSA 59-02A (23-81 89<sup>th</sup> Street) previously granted in 2002.

Mr. Tiongson introduced Ken Lee, Architect, representing Carlos Aguerre, owner of the properties.

Mr. Lee advised that the property size is 80' by 125'. Half of the lot is in a mapped street on 24<sup>th</sup> Avenue. Three years ago they received BSA approval for two (2) units of two-family homes. They have once again come before this Board for the approval to build (3) units of two-family homes.

The three units will be attached to each other. Two units will have three bedrooms, a living, dining and kitchen area on the first floor – the second floor will have the same plan. The middle and third unit is a little smaller – two bedrooms, living, dining and kitchen area on the first floor – the second floor will have the same layout. Mr. Lee stated that they are in compliance with the SAL 480 Ratio Zoning Resolution and also parking requirements.

Darryl Hoss inquired if these properties are going to be resold or used as rental properties?  
*Mr. Aguerre, owner, advised that he will sell two of the units and reside in the other.*

Emma Brandt inquired who will be buying the houses – will they be able to afford them?  
*Two-family homes are a good investment for potential homeowners. They will be able to meet their mortgage payment by collecting rent from the other unit.*

Joyce Julian inquired how many houses on the block?  
*There are 35 to 40 homes on the block.*

### **T.L.C. / 70-18 35<sup>th</sup> Avenue / Mexicana Car Service**

An application for the renewal of an operating license.

The owner stated that they have been in business for the past 15 years. They have complied with the new rule that all drivers must be relicensed. They have never had any complaints from the community.

For the record, Augusto Tiongson stated that there have been no complaints filed.

### **EXECUTIVE SESSION**

Vasantrai Gandhi opened Executive Session with the Pledge of Allegiance.

### **Adoption of the March 16, 2006 Agenda**

#### **Motion # 9 – 2006**

Upon motion duly made by Mizanoor Biswas, seconded by Arthur Teiler and unanimously carried, the Agenda was adopted.

## **MOTIONS BY COMMITTEE**

### **BSA-131-05-BZ – 72-01/72-11 Roosevelt Ave.; 37-61 / 37-69 72<sup>nd</sup> Street; 762-18 Broadway (Broadway Plaza)**

An application for variance relief for parking and other zoning requirements that would allow for a five-story office-retail building and catering hall.

Augusto Tiongson, Land Use Chair, advised that the Committee has been reviewing the application over several months. He read the Committee's recommendation:

- The Committee recommends to the Board that the application for a five-story building be approved, as it will potentially bring economic benefit to the neighborhood, with the following proviso: *That the proposed parking conform to zoning regulations.*

Discussion ensued:

Judy Grubin stated that we should continue our discussions – approval without parking does not make sense. We will have no input if we approve the application – we need to negotiate more.

Ed Westley suggested that the Board vote on each variance. He stated that he would say yes to the other proposals, except for the catering hall.

Tom Lowenhaupt stated that the owner did nothing for six years about graffiti tags on the building and therefore, is not a good neighbor. The graffiti was removed just recently.

Dr. Sanchez advised that urban design was taken into consideration. The banquet space is extremely important. New neighbors are making significant investments and by the same token carrying on their tradition.

Mizanoor Biswas stated that he lives on 74<sup>th</sup> Street and knows what the traffic is like. What the community needs is a gym and catering hall – it is not the same neighborhood of 20 years ago. Any kind of development is better than none at all. The traffic will not get any better unless we employed Singapore rules. Let's embrace the proposal because if we don't, someone else will buy it.

Darryl Hoss questioned how the zoning regulations for parking are going to be met?

Hamlett Wallace stated that the project has more positive aspects than negative. The building will enhance the community and increase the quality-of-life.

### **Motion #10 -- 2006**

Upon motion duly made by Emma Brandt, seconded by Augusto Tiongson with a vote of 20 in favor,

9 opposed and 1 abstention, approval of the 5-story building with the proviso that the parking plan conform to zoning requirements.

**BSA 27-06A – 23-83 89<sup>th</sup> Street / 23-81 89<sup>th</sup> Street** – An application to construct two (2) two-family homes on a mapped street and amend BSA 160-02a (24-01 89<sup>th</sup> Street) and BSA 59-02A (23-81 89<sup>th</sup> Street) previously granted in 2002.

Augusto Tiongson stated that Committee recommended that the application be approved.

**Motion #11 -- 2006**

Upon motion duly made by Augusto Tiongson, seconded by Mizanoor Biswas and unanimously carried, to approve the application to construct two (2) two-family homes on a mapped street.

**T.L.C. / 70-18 35<sup>th</sup> Avenue / Mexicana Car Service** – An application for the renewal of an operating license.

Augusto Tiongson advised that Committee recommended approval of the application for a 2-year renewal of a car service operating license.

**Motion #12 -- 2006**

Upon motion duly made by Augusto Tiongson, seconded by Grace Lawrence and unanimously carried, that the application be approved the renewal of a 2-year car service operating license.

**District Manager's Report**

Giovanna Reid advised that April's Board meeting will be held on Tuesday, April 11, 2006.

**Motion #13 -- 2006**

**Adoption of the February 16, 2006 Minutes**

Upon motion duly made by Visantrai Gandhi, seconded by Emma Brandt and unanimously carried, the February Minutes were adopted.

**Committee Reports**

**Technology Advisory**

Tom Lowenhaupt, Chair, advised that included in the District Manager's Report is a copy of the Committee Report held on March 9, 2006. He requested that Board members review it.

**Youth Services Planning**

Norma Jimenez, Chair, advised that the planning for this year's March 23<sup>rd</sup> Business Youth Fair is going very well. She thanked Committee members for all of their hard work to make it a successful one.

**Health/Social Services**

Vivian Dock, Chair, requested that the Board write a letter to Governor Pataki to restore the budget cuts and to increase funding to Elmhurst Hospital Center and other public hospitals in recognition of increased cost of labor and supplies.

Vivian Dock further advised that the annual Leon Von Holden Health Fair will be held on June 10<sup>th</sup>.

**Legislators' Report**

Murlaina Tindall, representing Assemblyman Jeffrion Aubry, stated that she was not listed present on the attendance cover sheet for the February, 2006 meeting. Ms. Tindall was, indeed, present.

Vasantrai Gandhi thanked all for attending and closed the meeting at 10:18 p.m.

Respectfully submitted,

Irene Voss