



The City of New York

## Queens Community Board 11

Serving the Communities of Auburndale, Bayside, Douglaston, Hollis Hills  
Little Neck and Oakland Gardens

Michael Budabin, **Chair** / Joseph Marziliano, **District Manager**

TO: All Board Members  
FROM: Bernard Haber, P.E., Landmarks Committee Co-Chair  
Laura James, Landmarks Committee Co-Chair  
DATE: April 22, 2021  
RE: 100 Prospect Avenue

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On Wednesday, April 21, 2021, the CB11 Landmarks Committee held a Zoom teleconference meeting to review an application to the NYC Landmarks Preservation Commission (LPC) for 100 Prospect Avenue in Douglas Manor.

### **Present**

Bernard Haber, Committee Co-Chair  
Laura James, Committee Co-Chair  
Victor Dadras, 1<sup>st</sup> Vice Chair  
Henry Euler, 3<sup>rd</sup> Vice Chair  
Douglas Montgomery, Committee Member  
Michael Golia, Committee Member  
Allan Palzer, Board Member  
Christina Scherer, Committee Member  
Wendy Pelle Beer, Board Member  
Jessica Burke, Board Member  
Ed LaGrassa, Non-Board Committee Member

### **CB11 Staff**

Joseph Marziliano, District Manager

### **Guests**

Sal Prainito, architect  
James Grech, property owner

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Mr. Haber started the meeting by asking the owner to begin the presentation. The plans were screen-shared for those in attendance. Mr. Grech explained that he owns two adjacent, separate lots. He wants to install a pool on the lot the house is on. He is planning on putting a retaining wall on the east and south sides of the pool. They are planning on backfilling the wall so that it is not visible from the street as this is a corner property. New York City Department of Buildings (DOB) requires a pool be enclosed by a fence. Some of the fencing is existing. His

plan for the empty lot is to backfill the retaining wall and flatten it somewhat and use it for recreation.

Mr. LaGrassa asked how they will backfill the retaining wall as it is quite steep. He asked if it will be backfilled with soil. Mr. Prainito said yes, the soil from the excavating for the pool will be used. Mr. Grech added that all new landscaping will be done around the property. Mr. Montgomery asked if there is a reason these lots have not been combined. Mr. Grech stated he only purchased the property about 10 months ago; he may do that in the future. Mr. Haber inquired about the wall being right on the property line; he asked if DOB agreed to that. Mr. Grech said they have not agreed yet. Mr. Haber stated it is customary to have a three-foot setback. Mr. LaGrassa asked how they will use the rear lot as it is very steep and covering the wall will increase that. Mr. Grech stated that steps will be built; he would like to flatten enough of it so approximately 80% of it will be useable. Mr. LaGrassa questioned the height difference from the top of the retaining wall to the low point of the slope. Mr. Prainito said it goes from 88' to 73'. The retaining wall will add another four feet. Mr. Haber asked if DOB had any issue with the footing encroaching onto the adjacent property. Mr. Grech said they did not raise that objection. Mr. Haber asked if anything will be done to the existing wall on Circle Road and what condition it is in. Mr. Grech said no, it appears to be in good condition.

Mr. LaGrassa asked why the driveway is so large. Mr. Grech said they plan to use it as a turnaround. Mr. Euler asked what issues LPC had with the proposal. Mr. Grech said their concerns were about the driveway, the fence and the retaining wall. He stated that, originally, they were not going to backfill but rather than go through a lengthy public hearing process. In order to hopefully get staff level approval, plans were changed. They also need to comply with DMA deed restrictions. Mr. Dadras mentioned that the fence at the front of the property, perpendicular to Cherry Street, is an issue with the Douglas Manor Association (DMA). They discouraged the fence on top of the retaining wall. The existing 4' high fence is also not in compliance with the deed restrictions. Mr. Dadras recommended that the proposed retaining wall be moved 3' away from the property line. Mr. Haber stated that since Mr. Grech owns the adjacent property, he could move the property line 3'.

Mr. Haber inquired about part of the retaining wall that is on the adjacent property. Part of the wall will be exposed; will there be any treatment done or will it be bare concrete? Mr. Grech said it will be covered by earth. Mr. LaGrassa asked about the fence that abuts the driveway; he asked what will happen when that fence is moved to the back of the garage. Mr. Grech stated that it is an existing chain link fence that will be left where it is so there is no access to the backyard from passersby. Mr. Prainito said it will be replaced with a 6' fence which will hide the pool equipment.

They do not have a public hearing date yet from LPC and are still hoping to only need staff level approval.

At this point, the owner and applicant left the meeting and Committee Member discussion ensued regarding buildable lots in Douglas Manor and this property being a corner lot. Mr. Haber pointed out that this application has been around for a long time and was done in a piece-meal manner. He stated that the Landmarks Committee's task is to see that the application meets LPC criteria. Mr. Haber proposed the following questions and/or comments: 1. will there be a 3' set-back for the rear yard and 2. regarding the issue of the encroachment of the footing extending

onto the adjacent property, he could move the property line. He also mentioned the existing DMA objections. Mr. Montgomery agreed that the question of the set-back is a huge concern. Mr. LaGrassa said the pool can be moved 3' closer to the front while leaving the property line where it is. Ms. James is concerned about the retaining wall as well and agreed with moving the location of the pool.

Mr. Montgomery added that it is not permissible to have a retaining wall on a lot line. Mr. LaGrassa would like his concern about the very large driveway brought to the attention of LPC. Ms. James added that it is highly unlikely it will be used as a turnaround; it is more likely it will be used for several cars. The green space required by the City's Green Zoning Text Amendment was also discussed.

Mr. Haber will draft a letter to be sent to LPC regarding the retaining wall on the property line and the required set-back and the size of the driveway.

*Respectfully submitted 4/23/2021*