



Serving: Corona, Corona Heights, Elmhurst, and Newtown  
**46-11 104<sup>th</sup> Street**  
**Corona, New York 11368-2882**  
Telephone: 718-760-3141 Fax: 718-760-5971  
e-mail: qn04@cb.nyc.gov

**Melinda Katz**  
Borough President

**Damian Vargas**  
Chairperson

**Melva Miller**  
Deputy Borough President

**Christian Cassagnol**  
District Manager

---

March 13, 2018

**PUBLIC HEARING ATTENDANCE**

**Board Members Attending:**

Damian Vargas  
Priscilla Carrow  
Giancarlo Castano  
Chaio-Chung Chun  
Lynda Coral  
Marialena Giampino  
Ingrid Gomez  
Jennifer Gutierrez  
Patricia Martin  
Rovenia McGowan  
Ruby Muhammad  
Sandra Munoz  
Gurdip Singh Narula  
Georgina Oliver  
Ashley Reed

Oscar Rios  
Neil Roman  
Cristian Romero  
Clara Salas  
Gigi Salvador  
A. Redd Sevilla  
Lucy Schilero  
Malikah Shabazz  
Alton Derrick Smith  
Gregory Spock  
Marcello Testa  
Vivian Tseng  
Louis Walker  
Rosa Wong  
Minwen Yang

**ATTENDING:**

A listing of the attendees is on file at the Community Board 4 office.

*Meeting streamed live.*

**PUBLIC HEARING**

DATE: TUESDAY, MARCH 13, 2018

TIME: 7:00 P.M.

PLACE: ELMHURST HOSPITAL  
79-01 BROADWAY  
ROOM A122  
ELMHURST, NY

I. Chairperson Damian Vargas opened the meeting at 7:00 p.m. The Executive Secretary Marialena Giampino took the attendance. A quorum was present.

II. Board Chair Damian Vargas read the subject matter into the record:

Subject: C180098 ZMQ, 40-31 82 Street Rezoning

In the matter of an application submitted by AA 304 GC TIC LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section 9d:

1. Eliminating from within an existing R6 District a C1-3 District bounded by a line 180 feet southerly of Roosevelt Avenue, Baxter Avenue, the northwesterly centerline prolongation of Ithaca Street, and 82 Street and
2. Changing from an R6 District to a C4-5X District property bounded by a line 180 feet southerly of Roosevelt Avenue, Baxter Avenue, the northwesterly centerline prolongation of Ithaca Street, and 82<sup>nd</sup> Street, Borough of Queens Community District 4

The rezoning of the Project Area to a C4-5X zoning district with an MIH Area designation will facilitate the redevelopment of the Development Site with a mixed use, transit-oriented development that includes 120 dwelling units (30-36 of which will be affordable) and two stories of commercial use, consistent with the historic and current context of the area and the City's affordable housing policy.

The Applicant's proposed project would rise to 145 feet and contain approximately 203,830 gross square feet (gsf) of floor area. The proposed project would have approximately 125,460 gsf of residential area (120 dwelling units of which up to 36 dwelling units would be affordable pursuant to MIH). The proposed project would also contain approximately 76,375 gsf of commercial uses in the cellar, first and second floors, approximately 1,996 gsf of community facility space, and 128 accessory parking spaces in a sub cellar level.

As of right, without the rezoning, the owners can build approximately ten stories, 113 ft. building with no affordable housing. The building would consist of one story commercial and community facility space and nine residential floors above it. The commercial component would consist of approximately 51,000 gsf located at cellar and first level, approximately 2,000 sq. ft. of community facility space would also be located on the ground level. The residential component would consist of approximately 65,000 sq. ft. with an estimated 77 dwelling units. This would also include approximately 130 parking spaces in the sub-cellar level.

At this point, Chair Damian Vargas said testimony would be limited to two minutes since many people wished to speak.

Finally, there would be questions by members of the Board. Since this will be a lively conversation, there will only be one person speaking at any given time. We will not tolerate any movement that disrupts the person speaking. If there is more than one conversation at the same time that person will be removed.

Next, Nora Martins, the Land Use attorney representing the applicant Akerman LLP for the 82 Street rezoning application addressed the Board. She explained the application is for two land use actions, for a rezoning and for a zoning text amendment to map a Mandatory Inclusionary Housing designation on the site located just south of Roosevelt Avenue bounded by Baxter, Ithaca, and 82 Street. It is currently zoned R6 with a C1-3 commercial overlay formerly occupied by a movie theater and several one-story retail establishments. With the aid of a map, she pointed out the existing land use in the area. Both 82 Street and Roosevelt Avenue are very commercial corridors. With the proposed C4-5X zoning district, it would continue the commercial character with a two story commercial base and residential above.

Subsequently, she displayed what could be built under the existing zoning at the site R6 with a C1-3 overlay permits residential commercial uses and community facility. In the R6, which has no height limitations, build a ten-story mixed use building permits a 4.8 FAR for community facility use and a 2.0 FAR for commercial use and a 2.43 height factor FAR for residential use. No maximum height and currently no affordable housing requirement on the site. Any residential development that would occur as of right would be market rate housing.

The proposed rezoning C4-5X zone would permit additional residential density and two stories of commercial consistent with the 82 Street corridor which is characterized by the two-story commercial, and permits a 5 FAR for community facility, 4 FAR for commercial, and a 6 FAR for residential, with a 6 overall and a maximum height of 145 feet, with a setback of 105 feet. As shown, the development has a setback significantly above the two story base.

The proposed development is a 13-story mixed use building, 140,000 sq. ft. of floor area, just under a 6 FAR, with commercial use located on the ground floor, second floor, and cellar. One of the tenants that have already signed up is Target, which will be taking the cellar space that is approximately 22,000 sq. ft. It will be a Target Express, which is a small format Target, which is meant to serve the local pedestrian community not meant for large shopping trips.

Two thousand sq. ft. of community facility space is also planned, which will be leased to a local community based organization. A community facility, non-profit organization which would be rented at below market rent. No tenant signed as yet. One hundred twenty eight parking spaces is designated for the cellar, access from Baxter Avenue. Both curb cuts for parking and loading docks will be on site, not on the street, on Baxter Avenue which was approved by the NYC Dept. of Transportation.

Lastly, she displayed a rendering of the proposed development in context with the existing neighborhood. Elmhurst Hospital was pointed out which is eleven stories and about 180' in height.

Mandatory Inclusionary Housing is also proposed with this project, which requires a certain percentage of any residential floor area that's built be permanently affordable at certain AMI levels. Mapping options 1 and 2 were brought up. Option 2 was proposed, which requires 30% of the floor area permanently affordable to households earning an average of 80% of the area median income. Since this is an average, there can be units accessible to families earning less, families earning at the 80% or earning slightly higher. This area has an

average median income of about \$44,000 and does vary greatly based on the census tracts in Community Board 4. If you go lower in affordability, fewer units are provided to the greatest range of income.

Next, she discussed the commitments made to the Community Board in writing after the Land Use Committee meeting held on February 27, 2018:

- No hotel development at the site, although a hotel is permitted as of right.
- Support local hiring efforts – There will be additional retail tenants in the building.
- Ensuring the community facility space is available below market rent.
- In discussion with the local nonprofit housing administrator for affordable housing to be sure it is marketed actively within the community.

At this point, the floor was opened to questions. More than 100 people attended the Public Hearing and expressed opposition to the proposal. Testimony was received from local residents, community groups, and small business owners regarding the impact this proposal would have on the community. Residents were in the audience holding signs printed with “don’t target our community”, referring to the incoming Target.

Speaker after speaker urged the Board to vote no on the proposed rezoning. Delayed response times for EMS and jeopardize lives would result. It would be devastating from the displacement for small businesses because of a big box store coming into the neighborhood, promoting congestion on the streets, and the damaging impact the rezoning will have on tenants in the community. It will lead to massive tenant displacement and gentrification and segregation. It was pointed out the affordable housing is not affordable to our communities. 80% of the AMI is far greater than what it is for the area. Private developers will not build housing that is affordable enough to benefit the community. Affordable housing that is massive is massively outweighed by the apartments received. This rezoning would be a magnet for gentrification and not serve the community.

The distinction was made to developers, there is a small difference to what they can build as of right and what can be built with the rezoning. The three residential floors is misleading because they are not talking about sq. footage, but about floors and the amount of floor space varies a lot based on the zoning designation and building use. Rezoning would allow for 47% more residential sq. ft. than what could be built as of right. Developers will be the only ones to benefit from the rezoning. The community facility space is minimal.

Additional traffic brought into a very dense neighborhood.

Testimony was read into the record from Senator Jose Peralta who opposed the application by Sun Equity Partners. Some of the reasons he stated were the proposal will be destructive to the local small business. Mom and pop stores are the fabric of this community, and the project can definitely alter the neighborhood changing its character. More vehicles will cause more traffic congestion. It is already extremely difficult to find on-street parking. The new Target Express and more than one hundred new residential housing units will aggravate this situation. A 145 feet tall structure is not suitable for a neighborhood surrounded by six or seven-story buildings. The building will bring more market rate units into the area, which will force people out of the community. The median income for Elmhurst is \$44,000. How is affordable housing defined for Sun Equity Partners?

Gentrification - what it will do for people of color and what it will do to market rate rents and push residents out of the community.

Neighborhoods are unaffordable to buy a home or rent an apartment. People that love the community cannot afford to live here because of gentrification the development brings in. Families live together in apartments because they cannot afford the rent on a single apartment and live paycheck to paycheck.

Residents will not shop in the new retail stores if development is built.

Sun Equity Partners is partaking in an investment strategy that pinpoints underperforming assets. Increases property values so existing homes cannot be bought by the working class. Homes sell for \$1 million or more.

Surrounding small businesses sell better products than Target. If Target's opens, small businesses will not be able to stay and the existing rents are very high to meet.

Plans needed to protect existing small businesses and residents and not a giveaway to developers. No luxury giveaways and no Target.

P.S. 89 most overcrowded in the district with over 2,000 students. Proposed development will bring in more children.

Non-profits have to work for their tax exemption. They are held accountable and must provide reports. Developers do not report in the same way that nonprofits do for their tax abatements or from the benefits they receive from the community.

Vote to downzone is the only way to stop as of right. Hold developers accountable for environmental mitigation.

Consideration for union jobs is needed. Plan for follow up and get all promises in writing.

Community planned committee needed to oversee community development.

Noted existing streets carry MTA buses and ambulances serving Elmhurst Hospital, which are already delayed by traffic. Zone change will make matters worse.

Development sets precedence for other tall buildings in the community and less parking.

This development sets corporate gentrification of our neighborhood and brings in a whole host of negatives for our local community and destroys entrepreneurship. The demise of the economic multiplier will be evident. Small businesses create jobs and demand. That money, through the corporations, will be gone from the community and produce a negative impact on the community.

The 80% AMI levels is twice the national average being currently priced out of the Elmhurst private market will find no solace. Instead, request a contextual rezoning of this block and any others under threat of similar destructive redevelopment.

Gentrification results in causing massive displacement by this development. Lack of affordable housing. Exacerbation of the homeless crises; small businesses closing down. The Real Estate Board of NY is causing this destruction. It is their policies.

Corporate development only harms communities by destabilizing their livelihood, housing and rent and is detrimental to working class communities.

If built, this development will negatively impact Elmhurst Hospital and make the care of its patients more challenging. This year 2700 babies were delivered some of these were high risk pregnancies. When a woman

has a high risk pregnancy, it is urgent the ambulance gets her to the hospital as quickly as possible. It is a matter of life and death. Increased traffic congestion would make it extremely difficult and potentially dangerous for pregnant women and newborn babies trying to reach the hospital. Residents would like to see the land benefit the community such as a new school or YMCA.

Community is in crises constantly on the verge of deportation, eviction, and unemployment. At least 1/5 of the residents are on food stamps. Those paying rent cannot make ends meet because of stagnant wages. As it is there are empty store fronts due to rising commercial rents and heavily at fault for that is the 82 Street BID. The GAP, Banana Republic, and Old Navy have made it harder for mom and pop stores to remain afloat. The Target to be built would exacerbate this issue. Housing for working families and apartments big enough for more than three people is needed. In addition, a plan is needed for the heavy traffic and an invitation was extended to the developers to meet with the community to determine what is needed.

Big box stores and private equity real estate developers cannot destroy our neighborhood and tear apart the fabric of our community with this community-killing proposal. Project threatens parking, economic well-being and quality of life. It would contribute to congestion, and increase leases for the small businesses up for renewal. This development is anomalous and out of context for this neighborhood. Without scale or context, the neighborhood suffers.

Current community crises are: Affordability, income inequality, immigrant security crises and homelessness crises. This development makes those crises worse.

According to the NYC Zoning Handbook, Chapter 3, the proposed building violates the provision in the zoning handbook.

100% affordable housing is needed for the people who already live here. Recommendation was presented to encourage downzone the site.

Rents or property taxes will rise because of this project. When the NYC Dept. of Finance assesses the properties in the community, 100 new units of luxury real estate will be taken into account. As a result, homeowners and renters will have to pay more money. This will have a ripple effect not only to area residents but also too many others living along the corridor. This will displace renters. If this is approved, people will not be able to live here anymore. Most importantly, downzoning is needed for this property.

These developers are choosing shareholders over community and not acceptable. This is neither equity nor safe for our community.

The crowded and dangerous situation of the #7 train was commented upon. Public transportation so overcrowded. Dangerous conditions exist for the children, the disabled, and elderly because people are pushed into the cars because of severe overcrowding. The platform is extremely threatening because of so many people waiting to board the train.

Residents urged Save the community and local businesses and vote No.

This development is about Greed rather than need.

Immigrant owned business is what we have and need. Target will just bring in minimum wage jobs. Owned immigrant businesses will go into the next generation of our neighborhood. The community is already vibrant, and does not need this development. Short blocks and building is context is what we have. The neighborhood already has mixed needs. This development is none of that.

The development is for a rezoning by the developer, not for a variance. The community does not need another Target. Big box stores such as Target and Walmart are bonafide business killers. This is according to numerous studies done on business district across the country. Downzone and request a special district will ban chain stores in a space.

Studies show that 14/15 small businesses close within a year of a chain store opening in the neighborhood. This has happened on the north side of 82 Street. Corporations like Old Navy, Gap, and Banana Republic have taken over the street. By not placing limitations on chain store expansion on 82 Street, it is closing the door on the businesses that are the economic lifeline to the community and taking money and opportunity out of the hands of hard working community leaders and eliminating the economic support system these businesses provide to the neighborhood. Target's entry will have a strongly negative effect on the mom and pop immigrant run jobs in the area that have served the community for decades.

Affordable housing and overcrowding are issues in this community. Institute downzoning because the Mandatory Inclusionary Housing proposal is a giveaway. No one can afford this affordable housing being proposed. Never mind someone who works a minimum wage job. 100% affordable is needed, otherwise, please downzone the area.

Change should not constitute the displacement of families. Affordable housing is not accessible to families who fall below the median income. Although growth is necessary for communities and businesses, growth occurs at the expense of black, brown and immigrant bodies as well as longtime residents.

Community members should have a say in what happens to their neighborhood. Elected officials are in a position to take the proposed project in a different direction. Community concerns about commercial and residential skyrocketing rents pushing out local businesses and tenants, overcrowded schools and transit, Traffic and access to the Hospital all matters. It is not fair for this community to accept something they have no say in.

Increasing the number of high income residents, in addition to Target, will increase broken window policing and criminalization of low income communities of color. Gentrification correlates to increased police activity as wealthier new residents and businesses call on the police to sweep away street vendors and low income people. This kind of proposed development will be no exception. The design and concept of this project does not fit the needs of the community economically, socially or visually. Vote against this project without any conditions.

This rezoning has the potential to destroy the community's safe haven

Say no to any zoning change that is not in the best interest of our neighborhoods. Council Member Moya say No, not on my watch and negotiate what is best for the neighborhood. School District 24 is the most overcrowded in Queens, if not in New York City. This location is in the middle of the district. Affordability, overcrowding, disruption of traffic, and the unnecessary type of the building are all community concerns.

At this point, Chair Vargas called out if the Community Board wanted to ask questions now or wait for the ULURP Committee's report later on in the meeting.

The consensus was later on in the meeting, however, Board Members wished to comment. CB4 Youth Committee Chair Ingrid Gomez spoke at this point. She was very encouraged to see everyone in attendance at this meeting. All here represent the best of Queens and with their voices and passion, the Board is listening. She will cast a No vote.

Next, CB4 Board Member Priscilla Carrow and an employee at Elmhurst Hospital spoke. Her department is the Receiving Doc. on 41 Avenue. Vote No.

Next, CB4 Board Member Sandra Munoz said this community had gone through a change, which she has loved and enjoyed. She loves the street vendors that add more flavor to our community. Losing the Jackson Heights Cinema was compared to losing a historical landmark. She will cast a No vote because she loves the community the way it is and does not want to be Long Island City or Williamsburg or Harlem. Elmhurst all the way!

Next, CB4 Board Member Ruby Muhammad who taught at PS 89 for ten years spoke about overcrowding. A resident of Lefrak City, she will cast a No vote.

Since there were no other comments or questions, Chairperson Damian Vargas closed the Public Hearing at 9:15 p.m. Voting will take place after the ULURP Committee's report. The regularly scheduled meeting of Community Board 4 immediately followed.

COMMUNITY BOARD ATTENDANCE

Board Members Attending:

Damian Vargas	Oscar Rios
Priscilla Carrow	Neil Roman
Giancarlo Castano	Cristian Romero
Chaio-Chung Chen	Clara Salas
Lynda Coral	Gigi Salvador
Marialena Giampino	A. Redd Sevilla
Ingrid Gomez	Lucy Schilero
Jennifer Gutierrez	Malikah Shabazz
Patricia Martin	Alton Derrick Smith
Rovenia McGowan	Gregory Spock
Ruby Muhammad	Marcello Testa
Sandra Munoz	Vivian Tseng
Georgina Oliver	Louis Walker
Ashley Reed	Rosa Wong
	Minwen Yang

Board Members Absent:

Lucy Cerezo-Scully	Peter Manganaro
Safat Chowdhury	Edgar Moya
Debra Clayton	Gurdip Singh Narula
Erica Cruz	Georgina Oliver
Judith D'Andrea	Shwe Zin (Winny) Oo
Maria Damico	Albert Perna
James Lisa	Alexa Ponce
Salvatore Lombardo	Lester Youngblood

ATTENDING:

A listing of the attendees is on file at the Community Board 4 office.

Meeting streamed live.

## COMMUNITY BOARD MEETING

DATE: TUESDAY, MARCH 13, 2018

TIME: 9:15 P.M.

PLACE: ELMHURST HOSPITAL  
A1-22  
79-01 BROADWAY  
ELMHURST, NY

I. Chairperson Damian Vargas opened the meeting at 9:15 p.m.

II. The Pledge of Allegiance was recited by all.

III. Executive Secretary Marialena Giampino took the roll call. A quorum was present.

### IV. VOTE ON THE MINUTES – February 13, 2018

Correction: Board Member Clara Salas noted a correction on page 4:

Under the Vote: Minutes January 9, 2018

Board Member Clara Salas made a motion, seconded by Board Member *Lucy Schilero* to **approve** the minutes. Subsequently, Board Member Clara Salas made a motion, seconded by Board Member Priscilla Carrow, to **approve** the minutes as corrected.

By a voice vote, the Board voted 29 in favor, 0 opposed, with 0 abstentions. Motion passed.

### V. REPORT OF THE CHAIRPERSON

Chair Damian Vargas thanked all who attended tonight's meeting. He announced a sign-in sheet would be passed around since the Board meeting is technically a different meeting from the Public Hearing. Attendance of those who attended the Board meeting needs to be recorded.

Chair Vargas reported much of his report had already been discussed at the Public Hearing. Therefore, he turned the floor over to the District Manager.

### VI. REPORT OF THE DISTRICT MANAGER

District Manager Christian Cassagnol reported on an IRS impersonation scam. Many times it's overseas, but it can also be a local company that perpetrators impersonate the IRS solicits payment from unsuspecting victims. Payment is to be paid with iTunes cards and/or Home Depot cards or other pre-paid debit cards, money orders or wire transfers. These perpetrators falsely claim to be IRS employees. A flyer was passed around regarding this scam, and it will be posted on social media.

Next, he reported on the Clear Curb Initiative, which will take effect within the next week. In an effort to improve traffic along Roosevelt Avenue, there will be signed posted No Standing Anytime between the hours of 7:00 a.m. - 10:00 a.m. and 4:00 p.m.-7:00 p.m. This initiative will affect deliveries, drop offs, and a Happy Hour. This is not subject to a Board vote. It is being implemented by the Department of Transportation. Committees can write to Mayor de Blasio about this initiative. NYCDOT was to send street ambassadors to walk up/down the Roosevelt Avenue corridor and visit every business on the north and south side.

Unfortunately due to the inclement weather, it was never done. The regulation is to be put into effect Monday, March 19 and the NYC Department of Transportation outreach Thursday. The 82 Street BID has written a letter to Mayor diBlasio stating businesses are affected, noting the proposed 82 Street Rezoning development is only a block away.

Also, he reported on a street co-naming at Junction Blvd. and the Horace Harding Expressway. Doniqueca Whitanae-Chelaine was tragically killed at age 21 by a speeding hit and run driver only a block away from her home near the N.W. corner of Junction Blvd. and the Horace Harding Expressway. A bio. had now been received. He explained the district lines Between Junction Blvd. and the Horace Harding Expressway are split between two elected officials—Council Member Moya and Council Member Dromm. He explained the signage difference. The family had requested the street co-naming sign be placed under the existing hanging sign. NYC DOT had informed the District Manager the new street sign cannot be placed under the existing hanging sign. The new sign must be placed within Council Member Dromm’s side, which is not the wish of the family.

Next, he reported at last month’s Community Board meeting a presentation was made on the Valence College Prep charter school. No vote was taken at that time; however, a vote is needed, which can be taken during the Youth Committee’s report.

## **VII. REPORT OF THE TREASURER**

Chairperson Vargas reported all is well with the Board’s budget.

## **VIII. PUBLIC FORUM**

A representative from Queens World Film Festival reported it is in its eight year and opening night is Thursday at the Museum of the Moving Image. You can spend time watching films made by local artists and filmmakers. Twenty-nine film makers are from Queens, noting three are from Community Board 4. Bring family and friends! She provided a code to put in at their website [queensworldfilmfestival.com](http://queensworldfilmfestival.com) that code for ordering tickets is qwff8; you will be given a discount on tickets. The festival is eleven days until March 25, and there are 189 films to choose from.

Next, John Wang representing the Queens Night Market reported April 21 is the start date for the opening of the Queens Night Market. Sneak preview tickets will be distributed to alleviate any traffic concerns. Tickets cost \$5.00 and \$8.00 at the door.

Youth Committee Chair Ingrid Gomez brought up at the February 13 Community Board meeting. Parks Committee Chair Al Perna said there would be funding for the Corona Community Ambulance Corps. and there was no such funding although the ambulance corps. was promised.

Mr. Wang responded a newspaper article was written about this issue and he had sent the newspaper bank statements proving the ambulance corps. was paid for its services. The article was carried in the *Queens Chronicle*.

Next, Board Member Jennifer Gutierrez asked about the donations to charities.

Mr. Wang responded 50% of the proceeds were donated last year, this year it is 20%. Requests are being taken on their website for suggestions to charities.

The next quarterly meeting for Community Advisory Board for Flushing Meadows-Corona Park is March 28, 6:30 p.m.-8:30 p.m., at the Queens Museum.

Next, Yoselin Genao Estrella, Executive Director for Neighborhood Housing Services of Queens, reported on several projects. A cleanup event is scheduled for the Park of the Americas in May and requested Community Board assistance and thanked the Board for its help in the past. Also two to three blocks surrounding the Park will be included in the cleanup. It's a great opportunity to help the community's seniors, veterans, and homeowners, to spruce up the area. To collaborate and revitalize and create communities is one of the strengths of NHS.

## **IX. REPORT OF THE LEGISLATORS**

Chair Damian Vargas called on the following legislators/representatives for their reports:

Congressman Joseph Crowley  
No Report.

Congresswoman Grace Meng  
Board Member Cristian Romero reported Congresswoman Meng is hosting the 2018 Congressional Art Competition. If you know a high school student that is artistic, they can enter the competition as long as they are attending high school and live in the sixth congressional district.

State Senator Michael Gianaris  
No Report

State Senator Jose Peralta  
Next, David Burgoa representing Senator Peralta, reported he is in Albany in session. He reported on the services in the district office. A Housing attorney is available on Fridays and an Immigration Attorney is present on Tuesdays. Free tax preparation is also available on Wednesdays and Thursdays.

State Senator Toby Ann Stavisky  
No Report

Assembly Member Brian Barnwell  
Mark, representing Assembly Member Brian Barnwell, reported the Assembly Member covers four blocks in Community Board 4. If you need help, call the district office at 718-651-3185. Also, he commented on an International Debate event for high schoolers coming up on international political issues and trade issues, which would be hosted closer to the Maspeth/Woodside area. Call Assembly Member Barnwell's office for more information.

State Assembly Member Michael DenDekker  
No Report

Council Member Daniel Dromm  
QiBin Ye, representing Council Member Daniel Dromm, reported Council Member Dromm is co-sponsoring an electronic recycling event on April 21 at CC Moore Playground from 10:00 a.m. to 4:00 p.m. The other co-sponsors were also mentioned. The Council Member's office also holds community legal clinics bi-weekly every other Wednesday. Attorneys are present to give consultations on general issues as well as immigration. Please reach out to the Council Member's office if you have any questions or concerns. Flyers were also available on a recycling event Council Member Dromm is sponsoring.

Council Member Francisco Moya  
No Report

NYC Comptroller Scott Stringer

William Giron, representing NYC Comptroller Scott Stringer, reported Tuesday, March 27, Women's History Month event will be held at 60 Centre Street, at the Supreme Court. A flyer will be sent to the Community Board. Please RSVP.

On behalf of the NYC Comptroller, Community Board 4 was thanked for hosting a round-table meeting where 70 participants were in attendance discussing issues affecting Community Board 4.

Public Advocate Letitia James

Stacy Eliuk, representing NYC Public Advocate Letitia James, reported before serving as the Public Advocate, Letitia James served in the City Council. One of her projects concerned the Barclay Center. The impact it would have on the community was to use eminent domain to build the stadium. This caused much concern then Council Member Letitia James made the difficult decision to be the one Council Member to vote against the building of the Barclay Center and the use of eminent domain.

Ms. Eliuk commended the Board members and the community for their attendance and those Board members that dedicated their time for our voices to be heard.

Queens Borough President Melinda Katz

Joe Nocerino reported the Queens Borough President is a champion for Queens and in her directive she wanted representation on hand to know the community concerns about the application. He commended the community on coming out and voicing their concerns and added this is what is needed to start something or end something. He urged members of the audience to attend Community Board meetings more often, and the community's message will be on the Borough President's desk tomorrow.

Before concluding, he said the IRS will never call you if you owe money. Instead, letters would be sent to the taxpayer. Seniors are the vulnerable and fall prey to this scam. Discuss this scam with the seniors in your family, he recommended.

At this point, District Manager Christian Cassagnol thanked Atiya Butler on staff at Elmhurst Hospital for use of the room for tonight's meeting.

#### **X. REPORT AND VOTE: Youth Committee**

***Discussion of Valence College Prep. a proposed 5<sup>th</sup> through 8<sup>th</sup> grade charter school aiming to open in Fall 2019 in Corona.***

Youth Committee Chair Ingrid Gomez reported Mitchell Flax, Lead Founder, Valence College Prep had addressed the Board on a proposal for a charter school for grades 5<sup>th</sup> through 8<sup>th</sup> grade in South Corona. Mr. Flax is requesting a letter of support from the Board. Since a vote was not taken at the February 13 CB meeting, a vote is now needed. Since there are a handful of middle schools, Community District 24 is the largest, overcrowded in Queens. She added the Youth Committee did not have a recommendation. The Committee left it up to a Board vote.

Board Member A. Redd Sevilla asked Youth Committee Chair Ingrid Gomez would she have supported the proposal.

Subsequently, District Manager Christian Cassagnol explained why the Youth Committee's vote was tabled.

Youth Chair Ingrid Gomez responded yes, she was impressed with the proposal and we do need good quality education. His proposal supporting student leaders resonated with her. Since Community Board 4's schools are severely overcrowded, she would support the proposal.

Board Chair Damian Vargas called out if any other members of the Youth Committee wanted to add to the statement made by the Youth Chair Ingrid Gomez.

Youth Committee member Cristian Romero responded Mr. Flax had been very responsive in community involvement and helping design this school. He was responsive to our needs and answered all our questions.

At this point, Youth Chair Ingrid Gomez made a motion, seconded by Board Member Priscilla Carrow, to write a letter of support for Valence College Prep.

By a voice vote, the Board voted 28 in favor, 0 opposed, with 1 abstention. Motion passed.

**XI. REPORT & VOTE: Public Safety Committee  
SLA Applications**

Public Safety Committee Chair Lucy Schilero reported the NYC Fire Department is asking all residents do not allow your boots, shoes, and shovels, bikes to block the entrances/exits of your apartment or building. They are a hindrance in checking for gas or fires.

Next, she reported on RoboTech, which is the newest technology against robocalls. This company will reverse the calls back to the caller.

Following she reported the Public Safety Committee meeting scheduled for March 7 had to be cancelled because of a snow storm. A phone conference was done with the committee members. There were only three candidates for liquor licenses.

Their opinions were given and how they voted.

Applicants will be discussed separately.

**NEW APPLICANT**

<b><u>ESTABLISHMENT'S NAME</u></b>	<b><u>ADDRESS</u></b>	<b><u>COMMITTEE RECOMMENDATION</u></b>
Anflo Inc. <i>Ingloo Rolls</i> Liquor, Wine, Beer & Cider	40-09 82 Street Elmhurst, NY	Denied
The Department of Buildings has not cleared this location. Still not ready to open. Under the 500' rule.		

At this point, the Board voted on this applicant. Board Member Malikah Shabazz made a motion, seconded by Board Member Ruby Muhammad to **deny** the application.

Chair Vargas explained voting yes means a vote to deny the application, vote no you are in favor of the application.

By a voice vote, the Board voted 29 to deny (yes), 0 in favor (no), with 0 abstentions. Motion passed to deny.

**RENEWAL APPLICANTS**

<b><u>ESTABLISHMENT'S NAME</u></b>	<b><u>ADDRESS</u></b>	<b><u>COMMITTEE RECOMMENDATION</u></b>
Tempo Libero Bar Corp. Liquor, Wine, Beer & Cider	88-08 Roosevelt Ave. Jackson Heights, NY	Undecided

Complaints: 2/10/2016 Lost Property 10/7/2017 Assaults 11/12/2017; Assault Arrests 10/6/17, Assault and 11/12/17 Assault. Need more information from the 110 Precinct on Assaults.

Assaults- female slapped another female-police were called; female punched by a male

Public Safety Chair Schilero described the nature of the above assaults. Previously, this location had a long history of problems and the applicant now brought it down to two assaults. Some committee members were for the application; others against it.

The applicant is making an effort to improve the establishment—number of assaults reduced from ten to two. Committee Chair Schilero left it to the Board’s discretion if the license should be granted.

At this point, Board Member Sandra Munoz made a motion, seconded by Board Member Pat Martin, to **approve** the application.

At this point, Chair Vargas called for discussion on the motion.

Board Members offered their comments. Discussion ensued.

Since the voice vote was not conclusive, a roll call vote was taken.

By a roll call vote, the Board voted 7 in favor, 9 opposed, with 13 abstentions. *Motion does not pass.*

### **CORPORATE CHANGE**

<b><u>ESTABLISHMENT’S NAME</u></b>	<b><u>ADDRESS</u></b>	<b><u>COMMITTEE RECOMMENDATION</u></b>
Gato Verde Sports Bar Corp. Liquor, Wine, Beer & Cider	82-14 Roosevelt Avenue Jackson Heights, NY	Denied

Applicant never answered Board’s letter or called to make an appointment. They asked to be placed on agenda for the following month.

By the committee’s procedure if the applicant does not appear, it is an automatic denial explained Chair Vargas.

At this point, Board Member Georgina Oliver made a motion, seconded by Board Member Ruby Muhammad, to **deny** the application.

By a voice vote, the Board voted 29 in favor, 0 opposed, with 0 abstentions. Motion passed.

### **XII. REPORT AND VOTE– ULURP/Zoning Committee *C180098 ZMQ, 40-31 82<sup>nd</sup> Street Rezoning***

With the aid of a slide presentation, Committee Chair Alton Derrick Smith reported the Committee met on February 27, 2018. At that time, the Committee decided to table the decision because more information was needed such as community input that was unavailable at the time the committee met. Although the developer’s proposal was heard, more reports were needed to be reviewed.

Committee Chair Smith explained the Mandatory Inclusionary Housing (MIH) component. MIH came about when the Mayor decided to address the housing crises in New York City. In 2015, MIH became a permanent part of the city’s zoning.

Next, he explained the ULURP process with the applications, noting the ULURP/Zoning is made up of volunteers. In 2015, the Land Use Committee voted against MIH. Looking at MIH in 2015, it does not serve the community because it does not reach all households. Since Community Board 4 is advisory, we can only advise. In 2015, CB4Q opposed the proposal along with the other 59 Community Boards.

He explained the process for the rezoning application. After the Board votes, the application is sent to the Queens Borough President's office, then to the NYC Planning Commission where they can accept it, reject, or modify it. If the application is accepted as is, the proposal is sent to the City Council, where a decision is made. Although Community Board 4 is only advisory, its recommendation is listened to by the City Council. Even though, Community Board 4 voted against MIH, it did pass.

Proceeding with the MIH component, it is part of the structure. The City of New York said Community Boards voted against MIH, but the community will be given options. Community Boards were given two options:

- Option 1 is at 60% of the AMI
- Option 2 is at 80% of the AMI

However, City Council members play an important role with the outcome of the final option for this development.

At this point, ULURP/Zoning Committee Alton Derrick Smith read a statement to the Board about the housing crises and the need for affordable housing. We, as a Community Board, can make recommendations; but the final decision is according to the City Planning Commission and the City Council. The developer chose Option 2 at 80% of the AMI.

If the Board denies the application, it is a no vote without hearing the reasons for the denial. But if the Board votes no with recommendations when the application goes through the ULURP process, those recommendations will be taken into consideration. He also noted deeper affordability needs to be look at, which is Option 3.

Next, what the developer can build as-of-right- was shown on a chart. As-of right, the proposed building can be ten stories. This proposal makes the development larger and wider. The Rezoning Chart was displayed. From ten stories as of right, the size is increased to thirteen stories with this proposal.

Target will occupy commercial space building and the parking component is included.

Next, the HPD chart of the options and what rents would be under the various scenarios was displayed.

The developer chose Option 2, 30% of the available units. HPD uses 100 units. With the developer, it is 90 units housing= 27 affordable. Rents were also broken down.

25% of housing units must serve households with incomes averaging to 60% AMI (\$49K) at least 10% of which must be at or below 40% AMI (33K)

30% of housing must serve household with incomes averaging to 80% (\$65K).

Option 3 – 20% of housing must average to 40% of AMI (\$33K) - The owner said those figures do not work for him. Next, households by AMI level was brought up. In terms of affordability for Community Board 4, median income is \$44,865=\$1,121/month for rent. The owner indicated the numbers do not work for him.

If the Board votes no, a no is all that is heard as the application proceeds through the ULURP process. He suggested if the vote is No there should be some recommendations.

At this point, ULURP Chair Alton Derrick Smith deferred to the Community Board for its recommendation.

Before concluding his report, in terms of the Environmental Report although it is not mentioned if the Board denies the proposal and requests a study of the impact of Target on the area, it is another way to hear our voice. The Community Board can also vote No and ask for fewer configurations so that there would be less congestion in the area. If No is the recommendation, it should be with conditions he stated.

If the Board's recommendation is to approve, it should be what the owner offers—80% of the AMI which could, in certain instances, there would be some affordable units although the other units would be much higher—Option 2.

Speaking about Option 1- 60% of the AMI the specifications were reviewed which is in Community Board 4's income range. And a requirement that 10% be at 40% of the AMI which brings it back the CB4's median income range.

Board Member Sandra Munoz made a suggestion about downzoning.

ULURP Chair Alton Derrick Smith responded the Board is acting on the application. Downzoning is a different feature.

Discussion ensued about downzoning, MIH, and the proposed building height.

Committee Chair Alton Derrick Smith responded the Board's role is advisory.

Board Member Jennifer Gutierrez brought up other districts in the City of New York voted down rezoning proposals. If the City Council is the last and final vote, the Board should be making recommendations to the City Council to ask for more concessions. Elected officials should listen to the Board. We do not have to be that Community Board that key in to whatever the developer puts forth because we do not work for the developer. We should be making those recommendations to our City Council member to ask for more concessions. Developers are not giving the Board a hand out by giving us an option. We do not have to be the Community Board that takes a position because a lawyer was paid to make a presentation.

Board Member Clara Salas brought up Manhattan Board 6 had voted against a rezoning proposal and the project was built anyway.

Board Member Ruby Muhammad questioned ULURP Chair Alton Derrick Smith if we do not have the power why are we voting.

ULURP Chair Alton Derrick Smith responded he did not say we do not have the power, but instead our role is advisory.

More questions were brought up by the Board Members about the Board's role as advisory.

Board Member Marialena Giampino said that since Francisco Moya is the new City Council Member and also holds the position as Chair of the Zoning Committee on the City Council, he should be able to work with the Community Board and the community groups and come up with a recommendation he can put forth. Council Member Moya should work with the Board and not vote the way his way.

Board Member Pat Martin asked about the ULURP' Committee's recommendation.

ULURP Chair Alton Derrick Smith responded the Committee tabled the proposal because it needed to review the Environmental report and the public comments. It is now up to the Community Board to make the decision.

Next, A. Redd Sevilla a member of the ULURP Committee stated many of the details were reviewed by the Committee and broke the synopsis into two parts:

There is a group of people who say the Board is only advisory; we are not the final decision. Whether the Board approves or denies the application, it will be built as of right. Why don't we get affordable housing since the developer has the right to build this building,

There are those that say we recognize this can be built by law, but the developers would have to go through the Community Board process. Developers would resist all the way to the end.

Furthermore, ULURP Committee Member A. Redd Sevilla commended the groups for coming out tonight. Those groups convinced him to vote no and those groups should continue to fight, he commented.

At this point, Board Member Jennifer Gutierrez made a motion, seconded by Board Member Ingrid Gomez, to **deny** the application to rezone with recommendation for a downzoning.

Chair Damian Vargas called out for any discussion. Since there was none, the Board cast its vote.

Before the vote, ULURP Committee member A. Redd Sevilla questioned would it be better to give more specifics such as although the Board voted No, its recommendation is instead of 90 units, build 50 units with 80% at 40% AMI meaning affordable, not downzoning which allows the developer to build at half the units at 80% of the units affordable to families in the neighborhood. Or broader usage such as downzoning which might be viewed by the next processing step as unclear. But if the Board provides more details on the families living here, it would be more amenable.

Chair Damian Vargas pointed out there is already a motion on the floor and the motion was seconded. At this point, that motion must be voted on first.

Although it is a No vote, the Board can still provide some documentation on Board Member A. Redd Sevilla's suggestions, said Chair Vargas.

More discussion ensued about the motion and adding more specifics to it.

Chair Damian Vargas clarified voting yes means you do not want a rezoning, voting no means you do want a rezoning.

To **deny** the application to rezone would be a yes vote, he further explained.

By a roll call vote, the Board voted 24 in favor, 0 opposed, with 4 abstentions. Motion to **deny** application to rezone with recommendation for downzoning passed.

Before adjourning the Community Board meeting, Board Member Marialena Giampino brought up the Small Business Act to protect small businesses in New York City and the City Council has not acted on this legislation. The Board should write a letter to our Council Members Francisco Moya and Daniel Dromm to get the Small Business Act to pass through the City Council.

By a voice vote, the Board voted 28 in favor, 0 opposed, with 0 abstentions. Motion passed.

### XIII. COMMITTEE REPORTS

#### *Consumer Affairs*

No Report. Committee Chair not in attendance.

#### *Environmental*

Committee Chair Giancarlo Castano a committee meeting is planned for March 21, 6:30 p.m., at the Board office. Implementation of community gardens throughout the district is on the agenda. Plans for Earth Day will also be discussed.

#### *Health*

No Report. Committee Chair not in attendance.

#### *Parks*

No Report. Committee Chair not in attendance.

#### *Transportation*

Since the Transportation Chair had left, the District Manager announced a vote on the street co-naming for Doniqueca Cooke at Junction Blvd. and the Horace Harding Expressway is needed.

Board Member Jennifer Gutierrez made a motion, seconded by Board Member Ashley Reed, to **approve** the street co-naming.

By a voice vote, the Board voted 28 in favor, 0 opposed, with 0 abstentions. Motion passed.

There being no further business, Board Member Lucy Schilero made a motion, seconded by Chaio-Chung Chen to adjourn. Meeting adjourned at 11:15 p.m.