



Chairperson, Martha Taylor

*The City of New York
Borough of Queens*

Community Board 8

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District Manager, Marie Adam-Ovide

PUBLIC HEARING/BOARD MEETING

ULURP No. 210128ZMQ

77-39 Vleigh Place – BBL-4-6630-1 & 15

DATE: **Wednesday, March 23, 2022**

PLACE: **Hillcrest Jewish Center
183-02 Union Turnpike
Fresh Meadows, NY 11366**

ATTENDANCE: Dilafroz Ahmed, Heather Bennett-Idels, Robert H. Block, Edward Chung, Susan D. Cleary, Kenneth Cohen II, , Kevin Forrestal, James Gallagher Jr., John Gebhard, Wendy Gennaro, Joshua Glikman, Ashan Habib, Marc A. Haken, Michael Hannibal, Mitch Lisker, Elke Maerz, Mary Maggio, Jennifer Martin, David Mordukhaev, Dilip Nath, Tamara Osherov, Hersh Parekh, Simon Pelman, , Mohammad Rahman, Charlton Rhee, Seymour Schwartz, Deepti Sharma, , Harbachan Singh Dr. Penny M. Stern, Martha Taylor, Mohammed Tohin and Jacob Weinberg.

BOARD MEMBERS ABSENT: Carolyn Brown, Solomon Davydov, Maria DeInnocentiis, Allen Eisenstein, Carolann Foley, Howard A. Fried, Bhitihara-Martha Fulton, Tami Hirsch, Steven Konigsberg, Paul S. Lazauskas, Rabbi Shlomo Nisanov, Alan Ong, Frances Peterson, Jesse Rosenbaum, Douglas Sherman, and Tamika Williams-Moore.

OTHERS PRESENT: Max Weprin representing Borough President Donovan Richards, Michelle Sanjose representing Council Member James Gennaro, Ashley Lin representing Honorable State Senator John Liu, Daniel Blech representing Assembly Member Daniel Rosenthal, 107th Precinct Deputy Inspector Kevin Chan, P.O. Timothy Gorman, 107th Precinct Community Affairs, Scott Solomon, Department of City Planning, Jay Goldstein, Esq., Applicant Representative, Mike Goldman, Construction Team, Justin Sherman, Architecture Team, Kevin, Environmental Review Team, CB8 District Manager and Jatna Reyes, CB8 Staff Member.

PURPOSE OF PUBLIC HEARING:

This is a private application by VP Capital Holdings LLC, requesting a Zoning Map amendment and Zoning Text amendment to facilitate the development of an eight-story mixed-use building including approx. 43,608 SF of commercial use and 10,433 SF of community facility use as well as approx. 119 residential units, of which 25 to 30% would be permanently affordable pursuant to MIH in Kew Gardens Hills.

Chairperson Martha Taylor called this Public Hearing to order at 7:30 p.m.

Chairperson Taylor stated that the public participation list was pretty long [58 individuals]. As a result, the speaking time was reduced to 1 minute per person. She asked that everyone be polite to each and everyone in

the room. She asked that those speaking that will be saying the same (whether for or against), to save time, give time to others or just state if they are for against.

ULURP Appl. # 210128ZMQ – 77-39 Vleigh Place - BBL 4-6630-1 & 15

Jordan Press – works for Constantinople & Vallone Consulting. He was asked by the owner to help guide this public process. He understands that a lot of people came tonight to speak on this project. He is not aware of how much each individual know about the project, but he hopes that they can show everyone interesting and appealing things about the development. He explained that there is so much development going on in the neighborhood and around the city that they don't have any control of. When you look at a building and say I don't like the way it looks, that building doesn't serve me, the beauty of this public process is that they get input. The developing team's job is to incorporate that input in order to get support and approval for the process.

A lot of issues have been brought up like bedroom size, parking, and other important items about the building. As everyone speaks tonight, they will listen and will try to incorporate a lot of the ideas that they hear. He hopes everyone sees the benefits of having housing to help support local small businesses, children that want to move out but don't want to move to far away. A place for seniors to live in a place they feel comfortable.

Sometimes, in a re-zoning process like this, people tend to have concerns about a slippery slope. If the site gets approved and the other doesn't if it will go unabated. This is not the case. This project and its re-zoning gets voted on its own merits. Each time it comes to the Community Board, Borough President and City Council, it gets approved by its own merits. Just because one project got approved at a certain size, doesn't mean another project that comes, maybe somebody that doesn't incorporate community feedback, will ever get approved.

Chairperson Taylor commented on the subject.

Chairperson Taylor – There is no such thing as setting precedence in land use matters. Everything is going as it is supposed to.

Mr. Press introduced the developers present before the presentation took place.

Avi Matatov – Owner

Mike Goldman – In charge of construction,

Justin Sherman – Architecture Team

Kevin – Environmental Review Team

Jay Goldstein, Esq. – Applicant's Representative

Mr. Jay Goldstein – introduced himself as the applicant's representative. He explained that he was here tonight to represent the Matatov family to discuss the proposed re-zoning of 77-39 Vleigh Place. These are some of the main highlights of the presentation:

- It is a corner property on between 78th Avenue, Vleigh Place and 77th Road. The development site itself has 90 feet of frontage on 77th Road, 219 feet on Vleigh Place and 171 feet of frontage on 78th Avenue. The surrounding area consists of community facilities, parks, single- and two-family homes as well as multi-family walk-ups.
- Historically, this site was a one-story commercial building that a number of years ago burnt down. The Matatov family bought this property with the hopes of revitalizing and re-activating this corner for the neighborhood. The premises is currently zoned R3-2/C1-2 which has been in existence since 1961.
- The proposal is to convert this into an R6A with C2-3 commercial overlay. Part of this process, the City requires that there is an affordable component for which they are using option 2 which requires that 30% of the residential floor area be affordable at 80% of the Average Median Income (AMI) for New York City.
- The proposal will allow for 3.6 FAR for a residential, commercial and community facility building. The existing development has been a vacant lot. Recently, they put the first-floor in. This was done because there was remediation on the site and there was a hole left on the ground. In an effort for no flooding or collapse to occur, they put the foundation and put a 1-story structure there. As-of-right, the developer will be allowed to do a 2-story building or a 55,000 sq. ft., 10-story building community facility and commercial mix.

- As proposed, the R6A zoning will have the following:
 - A 3.6 FAR, which allows for 124,000 sq. ft.
 - Ground and cellar floors will be commercial. There will be approximately 18,000 sq. ft. of commercial/community facility on the first floor and approximately 16,000 sq. ft. on the cellar level.
 - There will 126 parking spaces in the cellar with room to expand. Depending on need. This will have approximately 104,000 sq. ft. of residential floor area.
- In response to many of the comments heard over the last number of weeks, the developers are taking upon themselves a commitment that they will confirm today. The commitment will be that, in lieu of the 8-story building/124,000 sq. ft. that is able to be built on the site, they will be copying the building through artificial measures through a restricted declaration, which is routinely used by City Council and re-zoning matters to artificially cap the zoning. Even though, the underlined [zoning] that will be approved will allow for a larger building, they will artificially reduce it and cap the building at 6-stories. It will be 5-stories and at the 6th floor, there will be setbacks along all the frontages. This will result in a 6-story building approximately 100,000 sq. ft. It will significantly reduce the total amount of units from what was proposed at 119 to be somewhere between 80 and 90.
- In response to many of the comments that they have heard from the community members, in lieu of the 1-bedroom apartments, they will be increasing those numbers to have a substantial number of two-bedrooms and larger two-bedrooms that was originally proposed. By doing this and capping the floor area and capping the building, the developer is actually losing approximately 21,000 sq. ft. of buildable floor area, reducing the building by 2-stories. In excess of 25 apartments, they will know the exact numbers once they are able to re-configure the one-bedrooms into two.
- There will be one parking space per apartment. It will be free of charge. A loading dock is being including in addition to elevators to avoid traffic congestion.
- They were unable to show images of the proposed development due to technical difficulties. They were unable to show the renderings of the building. They have renderings that show the building as is designed, the building as a setback and really would have been illustrated the proposal that they are willing to do and activate this corner.
- Chairperson Taylor asked if there was any printed material brought to the meeting showing the proposal in pictures. Mr. Goldstein had a printed presentation which was passed around to the Board Members to look at.

Questions from the Board Members:

Mitch Lisker – to [Mr. Goldstein] – I understand there is an R6A and an R6B. R6B from what I understand is capped at 5-stories. Is that correct?

Answer: [Mr. Goldstein] – R6B is capped at 55 feet, so whatever 55 feet gets you, but it is only 2.2 FAR as opposed to the 3.6 FAR that the R6A gets you.

The thing is, that if you are going to be reducing the building to 5 floors and the 6th floor which is not going to be a full floor, if you would go for an R6B and then a variance for the roof or the 6th floor, is that something that could be done?

Answer: [Mr. Goldstein] – Based on the FAR restrictions, the building will only rise to about three and a half stories, so it wouldn't rise to 5 stories, because of the size lot and the size of the building or the footprint of the building. On top of that, in order to get a variance from BSA, you have to show some sort of hardship inherited on the property which I don't for see of see an avenue of finding a hardship in this property. Therefore, going the re-zoning and then going for the variance, wouldn't be a possible action. This is why we are offering to reduce the building and filing a restricted declaration in consultation with the City Council's office that will limit the building to the height and FAR that we are proposing.

Hersh Parekh – To [Mr. Goldstein] – You mentioned that you are reducing the number of units to 80 or 90 but you will still have 126 parking spaces. If each unit will have one parking space, what will happen to the others? Will they be available for people with multiple cars or what will you do with those parking spots?

Answer: [Mr. Goldstein] – The idea will be to have them available on a first come, first serve basis on a rental that if you have two cars and you want to rent an extra space, you can. Depending on need, there is room to increase the number of parking spaces in the cellar, so if there is a need for additional cars, we have the option to add.

Are spaces reserved from the building's residents for shoppers and the commercial stands?

Answer: *[Mr. Goldstein]* – The units will have reserved spaces for them, and everything will be on a first come, first basis, where it will be depending on the demand, for the building residents or the commercial.

Kenneth Cohen II – To *[Mr. Goldstein]* – Do you have a general contractor identified yet for the project and do you plan on building the project with union labor?

Answer: *[Mr. Goldstein]* – I will defer this question to my client for the answer on the general construction and the union labor. I think union labor still being negotiated. In terms of the general contractor, there is work going on.

Answer: *[name unidentified]* – The company that we work with is QBH Construction. They are licensed and registered in New York City. The project has been completed up to the two-story that has been in fact allowed without a single violation.

Do you use union labor?

Answer: *[name unidentified]* – We are an open shop. We don't have any of the mandates. We work with the alliances, with anybody that wants to work, any race, culture, color. Experienced, inexpensive, expensive, as long as they are insured and have proper identification. We don't discriminate.

Marc A. Haken – Why are you not using union labor? When you say open, you say well, I am going to try to use the least expensive labor that I can use because if we use union labor then it will start incurring a dollar figure every pay period and I am very much in favor such.

Dilip Nath – What percentage of the units will get the affordable housing?

Answer: *[Mr. Goldstein]* – The affordable housing is going to be 30% of the residential units. It will be an even mix of the one- and two-bedroom apartments.

Charlton Rhee – As far as I am understanding, the community space will have a gym developed for the community?

Answer: *[Mr. Goldstein]* – That is under consideration. It was something that was expressed to us and something that we are open to having. There have been no tenants identified at this time.

Public Participation:

Asher Koenig – Mr. Koenig depicted posters of the renderings of the building proposed. He explained that building looks like it is on a deserted island, almost like central park. There are streets surrounding the building that are very narrowed and are constantly congested with traffic. He showed a picture of the highest building around the area which is 3-stories. He showed an image that was taken three weeks ago how far the construction has gone. They were also trying to buy properties on the neighborhood. He stated that this building has four floors of lower level already built and a foundation that can hold twelve floors. This is typically not done in zoning until you have the community support, the board member's support, Borough President and Council Member. He came and presented to the Community Board because he believes the Board has a voice. He is strongly opposed to this project and hopes the Board opposes as well.

Answer: *[Chairperson Taylor]* - Community Boards serve merely as advisory. They do not make the decisions. They just advise. If people who are in power want to take their advice, they can do so.

Residents kept interrupting in the middle of the public participation. Chairperson Martha Taylor advised everyone to keep quiet if this continues, she will ask people to leave the venue.

Muriel Klein – opposed to the project.

Sam K – opposed to the project.

Bob Lindenbaum – opposed to the project.

Ethan Kobre *[used additional time given by Baruch Amsel & Stan Norwalk]* – Mr. Kobre stated that he is a real estate litigation attorney. He has a graduate degree in urban planning. He has lived in the neighborhood for more than 40 years. He knows this neighborhood. He made two points. The application before the Community Board

tonight in the ULURP process, is not an application about a building, fancy shops on the first floor, parking spaces or traffic. It is an application to re-zone on small parcel of land in a quiet pastoral neighborhood from an R3 to an R6A. This is the application we are dealing with tonight. It is about setting a bad precedence and bringing over development to our neighborhood. The developer is only here to make money. Nobody wants them to lose money but not at the expense of the neighborhood. The ULURP process was enacted to gain community input and community buying. While the developer is saying that he cares about our community even though he is not from the community. His actions has shown otherwise. If he really cared about this community, he wouldn't keep his re-zoning plan a secret while admitting recently that he had plan this for more than four years. Why did no one in the community find out about this re-zoning plan until 72 hours before the last planned community board vote. If the developer cared about the community, why does the DOB rendering that is to this day affixed to the construction fence around the property showing a rendering of a two-story building when he know full well that he continues to plan for an 8-story building. If the developer card about the community, why has the developer admitted privately, although not publicly been trying to scoop properties so that he can turn our neighborhood into Forest Hills or Rego Park. He has nothing against these neighborhoods but that is not the nature of their neighborhood. The developer gathering petition signatures from other neighborhoods and paying people to sign petitions in favor of this terrible project. The answers are obvious. He stated that the Community Board is their voice and they asked respectfully to use that voice to vote down this project.

Baruch Amsel – Agrees with Mr. Kobre's statement. He is against this project.

Stan Norwalk – He has lived in this neighborhood for 20-30 years. They have to wait in line to get out of the neighborhood due to traffic congestion. He is against the impact that this development will have on traffic.

Chairperson Taylor – To *[Mr. Goldstein]* – I understood that there were some changes, that is not going to be 8-stories and some other statements that were made. Can you elaborate on that a little bit please?

Answer: *[Mr. Goldstein]* – As mentioned, we have committed to reducing the building from the 8-stories that was originally shown in the renderings that Mr. Koenig sent. The building now will be proposed in which we have committed to doing as of this afternoon, will be a 5-story building as shown on the renderings. The 6th floor will have the setbacks that are shown on those renderings, but the 7th and 8th floor of the building will not. Additionally in response to the comments made by many of the community boards members, we will be eliminating a lot of the one-bedroom apartments which was an area of concern, since they wanted more family size units. We will be replacing much of the building with larger 11-12,000 sq. ft. two-bedroom apartments. We are significantly reducing the unit count that was originally proposed.

John Gebhard – **You said you made commitments. Who did you make those commitments to?**

Answer: *[Mr. Goldstein]* – We are making them tonight and we will be providing them in writing. We will enter in a restrictive declaration in consultation with the City Council. Once we have the final numbers, we will put it in that document.

Dilip Nath – **You said originally that you were going to have 8 floors, now you are saying that you are going to reduce it. Then, why are you asking to change the zoning so that in the future you can build the original floors. I think that is such ingenuine in the statement.**

Answer: *[Mr. Goldstein]* – Unfortunately, there is no zoning district between the R6A and the R6B. In order to achieve the 6-story building, we have to have the R6A zoning, but we will be filing a restrictive declaration against the building that will artificially reduce us to 2.9 FAR, 6-story building. We cannot have any other district because it doesn't exist.

Heather Bennett-Idels – **There is a lot of dealings going on and no communication with the community. I wasn't told about this deal about bring 8-story down to 6-story and I live in the community. I wasn't told this. Was anyone else on the Board told this? You are telling me this now, but what are you going to tell me tomorrow?**

Answer: *[Mr. Goldstein]* – Nothing, this is something that we are putting on the community board record. The community board will issue their minutes and their recommendation to the city council member, and they will take that to have us issue the restrictive declaration filed against the property.

But we don't know what kind of deals you are going to make tomorrow with some other community board members or what new idea you are going to bring out. You are telling us you are doing this for the

community, yet I am the community, I live here, all my friends I know live here. I was born in this neighborhood practically my whole life. I care about what goes on here. Here you are bringing this new change that we don't know if it's going to change tomorrow.

Answer: *[Mr. Goldstein]* – These deals as you call them are routine throughout the process with every re-zoning throughout the city which you hear through the ULURP process where you hear more of the community feedback. We are presenting now to the community board with a commitment. That commitment is on record, and it will be presented to the borough president, city planning and to the council member. It is our commitment and that is what we will be putting in writing and filed against our property.

We have been hearing rumors that you had the opportunity to speak to the community and you did not. This came at the 11th hour. There was no communication with the community which was told to me at a meeting. I was told at a private meeting, that you spoke to the community. Great, the community wants it, except no, the community didn't want that.

Answer: *[Chairperson Taylor]* – I think that is a big misunderstanding. It was an Area 1 meeting.

I was told, not a third party, I was told that there was community buying, really everyone is happy with this, and I was told otherwise, the community is not happy with this.

Answer: *[Chairperson Taylor]* – Yes, I think that is a big misunderstanding. It was an Area 1 meeting that was held.

Hersh Parekh – I just want to get to the point that the gentleman made about traffic which is really a big concern. Having a multi-story building with 100+ units with 100+ vehicles could be, especially during rush hour be problematic. Is this something that the developer has looked at considering traffic impacts?

Answer: *[Mr. Goldstein]* – Yes. So, prior to certification that it gets us into the ULURP application, there is a substantial amount of review which is a traffic analysis. City planning reviews it. DOT works in conjunction with city planning to review these applications. The EAS was reviewed by the city, their traffic experts and it was determined that the building will not have a negative impact on the neighborhood. We are not discounting traffic in the area; the traffic will not be exacerbated by the building based on the analysis that was done.

Kevin Forrestal – You said that you may an agreement to restrict the housing and so on. That is civilly enforced is that correct?

Answer: *[Mr. Goldstein]* – That is civilly enforced, and it will be filed with the Department of Finance against the property.

It will be civilly enforced that people will have to personally take legal action at their own expense and is not enforced by any government agency. Is that correct?

Answer: *[Mr. Goldstein]* – DOB will have that on record and will not let us build higher than that.

There have been many other areas where people have where civic associations have spent hundreds of dollars resolving that civilly.

Answer: *[Mr. Goldstein]* – I have spent a significant amount of my time dealing with restrictive declarations and DOB has catch them and make them pay for it.

Susan Cleary – Are you going to maintain your 30% affordability?

Answer: *[Mr. Goldstein]* – Yes.

Kenneth Cohen II -What is the timeframe on completion for this project?

Answer: *[Mr. Goldstein]* – We have another 5 to 6 months of the ULURP process and then it goes to DOB for another 5-6 months for review and the after that 1 ½ year of construction.

Public Participation continued:

Sholom Steinig – Mr. Steinig is against this project. He stated that he came at the front table and asked if those who don't live near the project if they were going to be allowed to speak and I was told that people speaking will be asked where they live. He lives a block away from the project. He stated this will be a nightmare if it goes through.

Peter Tuckel – Opposed to the project.

Barbara Tuckel – Ms. Tuckel lives at 76-45 Vleigh Place. She is opposed to this project. Several neighbors and herself collected over 1,000 signatures of people around the project who are against it. She asked the Board to consider voting this project down. It will undermine the quality of the neighborhood.

DM Adam-Ovide requested copies of the petitions to keep on file. Ms. Tuckel stated that she has copies of it which can be viewed after the meeting.

Luis Torres – Mr. Torres lives in 76-41 Vleigh Place. He is against this project. Kew Gardens Hills is a low-density community. They want to keep it that way. The parking space that they mentioned didn't match when they submitted the original project. Traffic will be a nightmare. He asked that the Board votes against it.

Rafael Navia – Mr. Navia has lived in this neighborhood for over 22 years. He stated that if anyone remembers, few years back before the fire, it was a chaos around there with the businesses that were there. The parking was horrible. Imagine what would it be like if this project goes ahead. He asked the Board to vote against it.

Akiba Kobre – Mr. Kobre is a 40-year resident of the neighborhood. He lives one block away from this development. He is very experienced developer himself. He has put himself multiple of ULURP processes through. If you walked pass this development, you thought it will be a 2-story development until 35 days ago. The planning that went through in scheduling the first meeting, a month ago with hours ago, people being notified hours ago was an outrage. It was an intention deception and an attempt to collapse the time and prevent the community from being able to speak. While this community board just advises, the city council is the one that has the last decision just like Chairperson Taylor said.

DM Adam-Ovide mentioned to everyone that the Community Board sent notices out two weeks ahead of time of the meeting to affected residents within 200 ft. radius from the development. People who live outside of the 400 ft. may not have gotten it because they were not the ones required to be notified. Those commenting on receiving notices 3 days before, it is a lie. The Community Board sent certified mail to the management office of the buildings located within the area. Everyone was notified.

David Frankel – Mr. Frankel lives on 137th Street. He has lived in Kew Gardens Hills close to 50 years. He is in favor of this project. There are many seniors in the area that eventually won't have a place to live. His sole purpose of supporting this is to have a place to live without having to get out of the neighborhood and remain in Kew Gardens Hills.

Alan Sherman – Queens County has approximately 2.4 million people living in it. It will be the 4th largest in the country. Queens is overcrowded. It does not need no more housing. He suggested building out of state, where they need the people. In 2020, COVID-19 spread rapidly because of too many people. We don't want this in the neighborhood. No large buildings in Kew Gardens Hills. We are not Forest Hills or Downtown Flushing which is already over crowded. He asked the Board to vote against it.

Joshua Pollack – against the project.

Jose Perdomo – He was born in Astoria but was raised in Kew Gardens Hills, in front of the development. He is totally against this project. He asked the Board to vote this project down. It will a disaster for the neighborhood.

Thomas Zalewski – against the project.

Maria Manzano – against the project. The parking will be a nightmare.

Charles Lind – against the project. He stated that two-bedroom apartment do exist in the neighborhood. They do exist. He gave his time to Mr. Ethan Kobre.

Ethan Kobre – No one sitting there for development lives in the neighborhood. They know nothing about it.

Shlomo Boehm – The neighborhood is a beautiful community. It is not a place for people to come in and make it a disaster. He is totally against the project. This re-zoning will destroy the community. He asked the Board to vote against it.

Asha Mampelli – against the project. She wants the neighborhood to be kept the way it is.

David Weiss – he is against the project. He asked the board to vote against it. This will destroy the community.

Jane King – Ms. King is the principal of the Steppingstone School. She asked the board to vote against this project. They are not opposed to the commercial building. Their main concern is the safety of the children of the neighborhood. They walk around the neighborhood. She is very concern about this project.

Carol Muney – opposed to the project. There is a large amount of traffic and noise going on at all hours of the day. She asked the board to vote against this project.

Maritza Carilla– opposed to this project. They want the neighborhood to remain as quiet as it has been. She asked the board to vote against it.

Eduar Yagudayev – Mr. Yagudayev lives in Fresh Meadows. He is in favor of this project.

Baruch Amsel – opposed to the project.

Marcia Glanzman – opposed to the project. She is a 40-year resident. She is not happy about this if it gets approved. She asked the Board to vote against the project.

Ephraim Berger – opposed to the project. He complemented the Board for the job that they do and asked for a disapproval of the project.

Emilia Everett – opposed to the project. She is a 33-year resident here. She is concerned of the population rise that this project will have in the community. She asked the Board to vote against it.

Mike Sidell – Mr. Sidell is in favor of the project. He has lived in the neighborhood for 67 years. He asked if anyone has any questions to come to him after the meeting.

Jeffrey Salgo – he is opposed to the project. He asked that the Board vote against this project to keep the neighborhood as quiet at it has been.

Jacob Akram – safety is a major concern for the neighborhood. He asked the Board to vote against this project.

Stan Norwalk – opposed to the project.

Susan Cleary – stated that everyone received fabricated information in which you make your decision and hold your opinions. The building has been judged the building to be unsuitable and unacceptable for the neighborhood. Affordable housing in necessary is Queens and in Kew Gardens Hills. She is in favor of the project.

Florence Fisher – Affordable housing is necessary in this neighborhood. Traffic will not be an issue, there is public transportation, and this will not have a negative impact in the neighborhood. She has lived in this neighborhood for 65 years. She guarantees this project will be very beneficial for project. She is in favor of this project.

Mr. Goldstein thanked everyone for coming tonight. He thanked everyone for voicing out their concerns. He hopes the community heard the information they presented the commitments they have made on the behalf of the developer this evening.

Chairperson Taylor asked for a motion for a vote to be taken.

Marc A. Haken made a motion to approve ULURP No. 210128ZMQ – 77-39 Vleigh Place, seconded by Mary Maggio.

Discussion:

Kenneth Cohen II – I don't know who is voting for or against the project. I think is important for a building of this size if it does get voted on tonight, that we strongly encourage that this developer must build union. As you all are aware, Local 3 is a very strong labor union that's in our community. It's important that when project like these is built in our community which we share with Local 3, that they hire locally and hire the members of our community that are part of this union. If they can't commit to using union, I will vote no on this project.

To the members of the community that are in the audience, I understand that you are upset with the process that this development is being done but affordable housing is really needed in NYC and in Queens. Nobody wants to take the burden of changes in their community, the part of Community Board 8 that I live in, looks nothing like the way it looks 30 years ago. Communities are continuously changing, and we have to learn how to adapt with that. We don't adapt by shutting out changes, we learn how to work with them, and we learn how to invite people to our community. This is not a destruction for our community, it is potentially the opportunity to welcome new members and new neighbors into our community, so that it can continue to grow, thrive, and continue to evolve. If they chose to build union, I will support this project.

To [Chairperson Taylor] – Can we make an amendment to the motion?

Answer: [Chairperson Taylor] – I don't know, that depends on the motion we make.

Marc A. Haken – reiterated what Mr. Cohen said. If the developer cannot commit to that tonight, I cannot vote on that. I agree to the amendment to the motion.

Jay Goldstein – In regard to the union, is something they will be taken into consideration and look at the numbers. I cannot answer that now because is a bid decision with ramifications to the entirety of the project.

Discussion from the Board Members continued....

Dilip Nath – I want to echo what Ken Cohen said. The affordability begins with using union labor. I just want you to understand that if you deeply care about the people and the diversity, use union labor. Make a commitment to use union labor, that will show genuineness.

Mohammed Tohin – I agree with what Dilip Nath said.

Susan Cleary – We have a building in this community that is called the T-Building. It was initially going to be non-union, then everybody got the good sense about them. It wasn't fully union, but they compromised and did some. It was built half and half because they had union and non-union.

Jordan Press – To [Kenneth Cohen II] – This fundamentally changes some of the economics for the project. We hear what you are saying.

Answer: [Kenneth Cohen II] – I have seen projects where non-union company bid against a union and the difference in price is not that much, which means that the developer is packeting all that extra money as opposed to take it out for the workers. I've seen this, I've been a part of the union process and it doesn't change that drastically.

What we can commit to you, I understand that you have to make a decision and take a vote tonight. We will look at what those numbers look like. We cannot commit to that tonight; we are listening to what you have to say, and we are going to look at the numbers and see what we can do. I respect your position on it and we will look into it.

Joshua Glikman – As an attorney I can tell you, I am somewhat concerned about the fact that the Board is being asked to consider this proposal her without anything in writing. I would like to see something in writing from the developer committing to these conditions.

Jordan Press – To [*Chairperson Taylor*] – Madam Chair, if it's still requested, we will submit something in writing tomorrow affirming the commitments that we will make today.

Hersh Parekh – In addition to the comments made about union labor and the commitments that have been made about the building size and such, I will also encourage the developers to think about some community benefits. Think about improvements to the park right across the street that is heavily used by the community and its children. Also, the space for community use, think about ways to serve the community where you are trying to build. I want to ensure that that space is also available for community use and not only for any organization of friends of the development.

Jordan Press – We can commit in writing and send a letter to the Board in the morning. We will work with the community.

Kevin Forrestal – I'll try to be very brief. One of the things share to my understanding also is that this is not an approval of this building without any conditions that the developers have put forward. By approving a zoning change we are only approving a zoning change not the building. I was approached by email and telephone to speak off the record individually with the developers. I ignored it and did not respond. This is the venue to ask questions. Affordable housing is a real issue, and it needs to be addressed properly. Something needs to be done tonight very positively and cooperative. I suggest to my colleagues here tonight that we reject this proposal.

Heather Bennett-Idels – I was asked to join this Board to give a voice to the voiceless of my community. I strongly support growth, capitalism and beatifying of our neighborhood, the one I grew up in and the one I want to raise my family in, and where my whole family still lives. I am equally against unwise overgrowth, specially when driven by mistruth and words as I have heard of this project. I am here on behalf of my neighbors and will use my vote to speak out for them. I vote no and urge my colleagues to listen to the voice of these people and vote against this project.

Marc A. Haken – People are aware of this text relieve for affordable housing in New York City. The Governor made a proposal that you can put sheds in your back yard where people live, you can live in your basement legally. Thank God the legislative or the legislature turned it down. We need to find a solution to this housing project. I am not happy with the presentation, but we must all put together some type of ideas to improve and increase our housing.

Mitch Lisker – I want to thank everyone for coming here tonight. I just wanted to put in a point. Since I got the vote to be the Area 1 Chair, this project happens to be in that area. Basically, we do feel that there is an important and integral part of affordable housing and to get housing into the neighborhood and help people get affordable housing. On the other hand, you have to say, all we have to do and look around and see what do the people want. We are for the people, and this is what our jobs are.

Susan Cleary – I think we should table the vote for tonight because there is many changes being discussed between the builders and the lawyers.

DM Adam-Ovide – To [*Chairperson Taylor*] – Martha, we can ask Scott Solomon from City Planning.

Scott Solomon – **The way the clock works for a ULURP is, it gets certified (January 18th) and then it goes to the Community Board for 60 days. You have until March 28th, to submit a vote. If you submit it a few days later, the CPC will not accept it.**

Answer: [*Martha Taylor*] – So we have to do it by March 28th which means that we will have to have another public hearing. If everyone agrees on it, we will have to take a vote.

There are other opportunities for Community Boards and the community at large. After March 28th, it will go to the Borough President, then it goes to the City Planning Commission and then finally it goes to the City Council.

Answer: [*Martha Taylor*] – Based on what Scott said, Marc, will you accept tabling this motion until March 28th or will you consider not tabling it and we vote tonight and then everyone can go to the Borough President and comment.

Marc A. Haken – I cannot accept it.
Answer: [Martha Taylor] – Okay. We will vote now.

The motion was amended.

Marc A. Haken made a motion to approve ULURP No. 210128ZMQ – 77-39 Vleigh Place, with the condition that the developers use union labor, seconded by Mary Maggio.

A roll call vote was taken.

Vote:

12 in favor 18 opposed 0 abstained

Board Members who voted in favor: Susan D. Cleary, Kenneth Cohen II, Joshua Glikman, Michael Hannibal, David Mordukhaev, Dilip Nath, Tamara Osherov, Hersh Parekh, Simon Pelman, Charlton Rhee, Martha Taylor, and Mohammed Tohin.

Board Members who voted against: Dilafroz Ahmed, Heather Bennett-Idels, Robert H. Block, Kevin Forrestal, James Gallagher Jr., John Gebhard, Wendy Gennaro, Ashan Habib, Marc A. Haken, Mitch Lisker, Elke Maerz, Mary Maggio, Jennifer Martin, Mohammad Rahman, Seymour Schwartz, Harbachan Singh, Dr. Penny M. Stern and Jacob Weinberg.

Call to Order:

Chairperson Martha Taylor called this Board Meeting to order at 9:40 p.m.

Public Participation:

Aaron Miner – Mr. Miner is an outreach specialist at the Council for Airport Opportunity. They are a non-profit trade organization. Their goal is to help people in the community and community residents and organizations to get jobs at local airports. Any questions or concerns, he can be reached at: 347-562-2075. For more information, please visit: www.caonynj.com.

Reggie Atangan – Mr. Atangan is a nurse at Queens Hospital. He is on the Board of Directors with the NYS Nurses’ Association. He informed us last month that there is a staff shortage at the Hospital due to the pandemic. They are seeking support to ensure that there is proper staffing at the hospital. He asked the Community Board to continue to provide their support and remain vigilant in ensuring that the hiring practice remains at the proper level at Queens Hospital.

Ashley Lin representing State Senator John Liu – *(unable to transcribe, a lot of feedback in the background).*

Daniel Blech representing Assembly Member Daniel Rosenthal – There will be a FREE Paper Shredding Event on March 27th from 11:00 a.m. to 2:00 p.m. at the Poppenhusen Institute located at 114-04 14th Road in College Point. On April 10th from 10:00 a.m. to 4:00 p.m., there will be a FREE E-Waste event at the Young Israel of Kew Gardens Hills located at 70-11 150th Street. For more information, please contact their District Office at: 718-969-1508.

Committee Reports:

Kevin Forrestal: Accessory Dwelling Units (ADU) – ADU Ad Hoc Committee: A resolution was drafted regarding Governor Hochul’s Accessory Dwelling Units in New York State. *A hand vote was taken.*

Count in favor: 30 Opposed: 1 Abstained: 0

Board Members Opposed: Hersh Parekh.

A separate letter was drafted to Majority Leader Stewart-Cousins and NYS Senators in opposition to the Amnesty Provision on Legalization of Illegal Dwellings in NYC. This letter was sent along with the resolution.

A hand vote was taken. **Count in favor: 31 Opposed: 0 Abstained: 0**

Committee Reports:

Capital and Expense Budget Committee - Marc A. Haken, Committee Chair - The budget requests were submitted in the fall. The City provided responses to the budget requests. He reviewed the responses along with DM Adam-Ovide and a letter was drafted in response to the FY 2023 Preliminary Budget to be sent to the Mayor. The Capital & Expense Budget Committee also met and discussed the responses. *Several CB8 Members made corrections to the letter.*

A motion was made to approve the response letter to be sent to the mayor as corrected.

A hand vote was taken. **Count in favor: 31 Opposed: 0 Abstained: 0**

Dr. Penny Stern will give her report next month.

Approval of Minutes:

Marc A. Haken made a motion to approve the minutes of February 9, 2022, seconded by Mary Maggio.

Count in favor: 31 Opposed: 0 Abstained: 0

District Manager's Report – March 2022

Queens Public Library

The Queens Public Library resumed Sunday service at Kew Gardens Hills and the Central Library.

Department for Parks and Recreation (DPR)

Sue Donoghue is the Commissioner of DPR. Iris Rodriguez has been named First Deputy Commissioner. The Department of Parks and Recreation has been hit in the budget and anticipate a reduction of 200 head count for the agency. The promise of being funded at 1% was not kept. Parks manager Gabe Echevarria is hoping, at least, that the seasonal budget is maintained. There is a green infrastructure project for many of our parks or target ponding. A list has been sent to the Community Board. Sarah Burrell is the new representative for Partnership for Parks assigned to District 8.

Fire Department (FDNY)

The agency is now including in-person fire safety presentations. To schedule a presentation call (718) 281-3888, preferably before noon. They are out in the field in the afternoon.

Department of Transportation (DOT)

DOT has funding for open streets that is available to groups. Information will be available on their website. The open restaurant program passed the City Council. We discussed an issue with an open restaurant that is operating outside of their permits. The inspection was done in December and the agency failed to return. They had to borrow inspectors from other agencies during the emergency program to meet their

responsibilities. The agency will have a separate unit to address these complaints once the permanent program is in place.

There is a backlog in installing new lampposts. We have two locations in CB8 that were approved over year ago and no work has taken place. I requested and I now await more information from DOT on this. I have also alerted the Borough President’s office through our contact Max Weprin. If this is a boroughwide issue, maybe he can assist. Dark areas give criminals privacy to conduct illegal activity. The locations are both dead end streets.

Department of Buildings (DOB)

They had an influx of building construction some permitted and others not. They are still behind on the follow-up from the new homeowner’s program. There are locations that have not been inspected for over 90 days since they were initially issued the RCA [Resident Corrective Action] notice.

The DOB Commissioner is still serving as the efficiency czar. No one has been assigned to replace her with the department. As the efficiency czar, she is tasked to find redundancy and eliminate some programs that do not provide the intended results.

Department of for the Aging (DFTA)

Aging Connect reached its two-year anniversary this month. They continue to encourage seniors to contact them at (212) 244-6469 for assistance.

Happy Birthday to Board Members: Michael Hannibal, Dilip Nath and Harbachan Singh



Marie Adam-Ovide

Adjournment

Mary Maggio made a motion to adjourn this public hearing/meeting at 9:52 p.m.

*Respectfully submitted by,
Jatnna Reyes, Staff Member
April 8, 2022*