



COMMUNITY BOARD # 4Q

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December 2, 2014

PUBLIC HEARING

DATE: TUESDAY, DECEMBER 2, 2014

TIME: 6:30 P.M.

PLACE: VFW POST #150
51-11 108 STREET
CORONA, NY

1. Corona Senior Residence – In the matter of an application submitted by the NYC Department of Housing Preservation and Development Pursuant to Section 197-C and 201 of the New York City Charter for the Amendment of the Zoning Map Section No. 10b by changing from an R6B District to an R6 District. Property is bounded by Lewis Avenue, a line midway between 101st and 102nd Streets, a line 270 feet northwesterly of Martense Avenue and 101st Street.
2. BSA Variance and GCL Section 35 Applications 215-14-BZ and 214-14A; Block 1930, Lot 50 50-11 & 50-15 103rd Street; 103-10 & 103-16 Alstyn Avenue
In the Matter of an application submitted by Sheldon Lobel, Attorneys at Law. The application seeks to legalize the existing buildings located at 50-11 103rd Street and 103-10 Alstyn Avenue, and permit the development of 50-15 103rd Street and 103-16 Alstyn Avenue, contrary to front yard and parking requirements. The application also seeks a waiver of GCL Section 35 to permit the proposed development in the bed of a mapped street.

Chairperson Louis Walker opened the meeting at 6:40 p.m. The subject matter was read into the record.

For the first item on the agenda, the Corona Senior Residence, Mr. Ray Hodges, Director of Development for HPD's Division of Special Needs Housing, which includes the SARAH Program (Senior Affordable Rental Apartments Program).

HPD is proposing to facilitate the development of a 68 unit affordable housing project for seniors on the city-owned site located on 101 Street between Lewis and Martense Avenues, Corona.

With the aid of diagrams, Mr. Hodges reported the project would serve seniors earning up to 50% of area median income and facilitate the development of the ULURP application submitted by HPD in October for an urban development project a UDAAP (Urban Development Action Area Project) designation to rezone the site from R6B to R6. An application was certified by the Department of City Planning on October 20, 2014.

The project site has been used in the interim as a community garden by the Sparrows Nest group. The site was identified as affordable housing for seniors as part of the Willets Point development project, which was included in the points of agreement with the involvement of Council Member Ferreras.

The community garden will be relocated to the Corona MAC Park. The project consists of an 8-story building with 67 units of affordable housing for seniors, and one superintendent's apartment for a total of 68 units. It would also provide community facility space on the ground floor for residents. There will be two outdoor spaces on the ground floor in the rear of the site and on the roof.

Actions presented to the Community Board are for a UDAAP designation for disposition of the project site by the City and for rezoning of the block front from Lewis Avenue down to a point 270' up from Martense Avenue. Details were given about the current zoning.

In 1989, the City Planning Commission rezoned the project area from R6 to R6B. In an R6B district a maximum of two FAR is allowed for all residential uses, which includes non-profit residences for the elderly. The reasoning is a non-profit residence for the elderly built at two FAR would not be financially feasible both on the developmental side as well as the operational side.

The proposed R6B allows for a higher FAR, 3.90, which is for non-profit residences for the elderly. The residential FAR is almost unchanged in the height factor. The proposed R6 district will allow both contextual and standard height factor building types. The proposed R6 district will also allow a Quality Housing residential building of up to 2.20 FAR.

He also noted there were three Mayoral Zoning Overrides HPD secured in advance to allow for the project.

1. Elimination of required parking spaces for non-profit elderly housing on the zoning lot. The proposed development would be required to provide 15 accessory parking spaces. The override will be required to waive accessory parking spaces. Since parking is a problem in Corona, HANAC has found a solution to parking by renting spaces. More information on parking will be provided by Mr. Napolitano.
2. Waiver of the dwelling unit factor for elderly housing on the zoning lot. To accommodate 68 dwelling units the override will be required to waive the dwelling unit factor.
3. Waiver of the open space ration on the zoning lot. The proposed development would be required to provide 8,284 square feet of open space either at the ground level or on a roof that is not above the portion of the building containing dwelling units. The proposed project would provide 3,960 square feet of ground level open space.

At this point, Mr. Hodges turned the floor over to Mr. John Napolitano, Director of Community Development and Planning for HANAC.

Mr. Napolitano turned the floor over to the architectural team who presented the design of the project.

Before the architectural team presented its findings, Mr. Napolitano reported HANAC has been in the Queens community just over 40 years. This project would represent the fourth housing initiative in Queens County. Senior housing has been established in western Queens, mostly in Long Island City and Astoria. It is well understood the acute need for affordable senior housing, which is part of HANAC's mission. It is hoped ground can be broken for this project by next summer.

At this point, Mr. Jack Esterson and Mr. Stan Fabiszak, WASA/Studio A Architects, reported on the design and project area.

Mr. Esterson said he had been practicing for about 40 years. Most of the firm's work is in communities such as Corona, Queens, with many projects in Brooklyn and the Bronx. Much time is spent looking at neighborhoods. Pictures were shown which describes the scale, quality, and character of 101 Street, which is mostly low rise with 2, 3, and 4 story buildings. Many are two-family homes; some are multi-family dwellings in various materials such as brick, concrete and vinyl siding etc.

The west side of 101st Street consists of an 8-story full block residential building set back from the street line with an on-site parking area. The scale of the street is very different from one side versus the other. The strategy in designing the building was to create a building that was neighborhood friendly.

A site plan was presented which describes the site. The site is 120' long on 101 Street and 100' deep. The building is approximately 70' deep with a 30' rear yard. The ground floor will be for community use. HANAC is also looking at a pre-school on site. Part of the rear garden will have classrooms that open out to a child garden. The rest of the backyard would be used by the senior residence. Approaches of having the seniors and the children intermingle are also being looked at and to be negotiated.

On the fifth floor, because of zoning, an outdoor roof terrace will be included for residents. The concept of the façade of the building on 101 Street was presented. Half of the building will be set back at the fifth floor, hence the fifth, sixth, seventh, and eighth floors are set back 15' from the street wall to breakdown the mass of an eight story building, integrating the building with the texture and character of the neighborhood by using different materials and window patterns.

The building is about 60,000 sq. ft. Most of the units are one bedroom apartments, some studios, and a two-bedroom apartment on the fifth floor for the building super. New trees will be planted along the front façade and a landscape garden on the fifth floor, also mentioning the pre-school on the ground floor. Sq. footage for the apartments is about 600' for a one bedroom, studios approximately 500'.

Subsequently, Mr. Hodges reported on the ground floor community facility use. Through HANAC's work experience, serving youth is essential. Integrating seniors and youth in the same building would create a new synergy which would promote a positive effect for both populations. An early learning or pre-K facility which would accommodate up to three classrooms based on the DOE guidelines is envisioned. A letter of interest was received for operating an early learning program, which is serving children ages 6 weeks to 5 years old.

5,100 sq. ft. constitutes 2/3 and 3/4 of the ground floor and the senior lobby for the residence which serves the upper floors as well. There are opportunities for both populations integrating on the ground floor and in the gardens.

Next, he addressed the parking issue. Since this is the fourth senior project, many of their senior projects parking lots have not been fully utilized. Nonetheless, some seniors who move into the building may have a car or staff may have a vehicle. HANAC approached the property manager across the street at the Queenswood apartments who issued HANAC a letter of interest to sub-lease parking spaces which are available in the parking lot across the street from Queenswood (54-39 100 Street). There are about 100 car spaces and not all are utilized.

Rents for one bedroom apartments is \$737, which includes cooking gas; for the studio apartments \$686 and includes cooking gas as well. Those rents are set by HPD, which will be providing some private financing for the project.

50% of the units will be going to residents of Community Board 4, which means 34 of the apartments will be set aside for those individuals residing in the Board area and income for those individuals mean seniors cannot earn more than \$30,100.

Over 90,000 seniors in New York City pay more than 50% of their income for rent. This project is addressing a need for some of the vulnerably housed seniors or seniors that may be at risk for losing their home or those not housed. He mentioned those seniors who couch surf from apartment to apartment.

He urged the Board to support the project.

In terms of the timeline for the project is to break ground next summer and construction scheduled for about 20 months and marketing the building in the beginning of 2017.

More announcements will follow as the project progresses so everyone has the opportunity to apply.

Mr. John Kaiteris, Executive Director/CEO of HANAC reported HANAC is a non-profit community service agency, which has been providing services throughout Queens for 42 years. In the Board 4 district, senior transportation services are provided, weatherization services, and also HANAC sponsors the Beacon Program at P. S. 19.

Mr. Kaiteras commended Council Member Julissa Ferreras' advocacy for developing affordable housing whether it's senior or family housing is extremely difficult in the City of New York and doubly difficult in Queens because of zoning restrictions and the price of land. If it were not for Council Member Ferreras' advocacy, this project would not have been considered.

The number one priority from all elected officials is affordable senior housing, said Mr. Kaiteras. Before concluding, Mr. Kaiteras asked for the Board's support on this project.

At this point, Chairperson Louis Walker opened the floor for questions.

Board Member Lucy Schilero asked where the laundry room would be located. The representative answered in the lower level, basement. It is a large facility to accommodate everyone in the building.

How many washers and dryers would be available, she further inquired. The HANAC representative responded that level of detail had not been worked out yet. The services of a provider will be utilized and they will do a calculation for the appropriate number of machines for the building.

Next, Board Member Judy D'Andrea commented she is very pleased this development is coming to Corona and joining the other three senior centers plus the affordable housing at Queenswood. She added Corona is becoming a place where people can live together at all economic levels. Also, she was glad to see the intermingling of Generations, this is so important for seniors. As one gets older, you do want to have a connection to younger people because it keeps the mind young and active. In future housing developments, this project should be emulated. It is an excellent idea.

Next, she asked for clarification on the previously mentioned Willets Point Development and this project. How are they connected?

Mr. Hodges responded, as part of the agreement signed for Willets Point, it was stipulated this site would be used for affordable senior housing.

Next, a Board member asked is the qualification only based on the income level. Mr. Hodges replied income level, household size and age. The head of household must be 62 years of age or older.

Next, Board Member Clara Salas inquired about social services on site. Mr. Kaiteras responded social service workers will be on site. Those workers will be provided from HANAC, who will also partner with the Parker Jewish Institute, which provides an extensive array of services from skilled nursing to home care. A full range of services will be offered. Board Member Salas asked about the recertification period. Mr. Hodges said recertification is once a year.

A Board member asked if this was vacant land. The response was yes. It's a mid-block lot.

Since there were no other questions or comments on this agenda item, Chairperson Louis Walker closed the session on the Corona Senior Residence at 7:10 p.m.

At this point, the meeting was re-opened and Executive Secretary Lucy Schilero took the attendance. A quorum was present.

Chairperson Louis Walker called on the second applicant scheduled for the Public Hearing to present BSA Variance and GCL Section 35 Applications, 215-14-BZ and 214-14-A; Block 1930, Lot 50—50-11 & 50-15 103 Street; 103-10 & 103-16 Alstyn Avenue.

The subject matter was read into the record by Chairperson Walker.

Mr. Sheldon Lobel of Sheldon Lobel PC, Attorneys at Law, representing the owner, Mr. Fernando Fernandez, who was in attendance tonight, reported the owner had owned the property for a number of years. Mr. Fernandez hired an architect and a builder in 2007 that started the project. Mr. Lobel emphasized the owner was not cognizant to the laws and relied on the architect and the builder. In 2008, a stop work order was issued. Since that time, it has remained as unfinished construction.

One of the issues raised at the ULURP/Zoning Committee on October 21 was the extensive graffiti on the existing building. Current photographs presented showed the owner had removed the graffiti in good faith. Also, approximately 50 consent forms signed by residents who resided in the immediate area agreeing to the application were presented.

Mr. Lobel reported the application is before the Board of Standards & Appeals for a limited amount of relief that is needed to allow the project to move forward. One issue is a yard requirement that needs a waiver; the other issue is a parking requirement. There will be a total of four three-story three-family semi-detached residential buildings and 12 dwelling units at the premises. The parking requirement is there must be eight parking spaces; but because of the irregular configuration of the site and the proposed development, six parking spaces are proposed.

However, there will be attended parking and the zoning law does allow the attendant not to be there permanently but to have someone available on the property to move cars when necessary.

Mr. Lobel further reported the building complies with all aspects of zoning. The floor area, which is one of the bulk requirements, will have less floor area than what is required under the zoning provision. The open space ratio is being exceeded. The height of the buildings is somewhat less than what is permitted.

Basically, all of the zoning requirements are being complied with except for the one yard and the parking requirement. Plans were distributed depicting the site. There are two plans. Four buildings are on the lot now. Because of the deterioration of two of the buildings, they must be demolished which will add another burden to the property since over the years they have become unusable. Presently, there are two buildings on 103 Street. Those buildings will be moved back. Two new buildings will be erected in their place, which creates one of the objections (the front yard objection and also the parking requirement).

The applicant would like to move forward with the job. He has his entire life savings invested in the project and had sought help to accomplish this.

Mr. Lobel asked for the Board's support on the variance application before the Board of Standards & Appeals.

At this point, Chairperson Louis Walker opened the floor to questions.

Board Member Priscilla Carrow asked if buildings would be demolished. Mr. Lobel responded two of the buildings must be demolished and replaced by two newer buildings and those two buildings will be set back on the property. Board Member Carrow commented the construction was sitting there since 2008 and it was an eyesore.

Board Member Edgar Moya asked how many units in the buildings, since two new buildings are planned compared to the units currently existing.

Mr. Lobel replied it is a total of 12 units. The existing two buildings will be demolished and replaced by two similar buildings, each containing 3 units i.e. four buildings 3-units each.

Furthermore, Board Member Edgar Moya inquired about the parking. Mr. Lobel replied parking is an issue. The ULURP Committee expressed its concern over the parking issue. The requirement is eight spaces, six spaces are planned. It will be what the zoning allows, but it will be attended parking, which means someone must be available on site. Perhaps, arrangements can be made with one of the tenants. The apartments will be all rental units, not sold, and someone in those rental units will be able, when necessary, to move the cars.

Next, Board Member Judy D'Andrea thanked Mr. Fernandez for painting the fence. However, it took approximately seven years to do this. Before coming to the ULURP/Zoning Committee meeting, the property was never attended to. The property was never maintained and always filthy—the fences always filled with graffiti and garbage always on the property. In fact, the property has always been a disaster. Prior to coming to the Board meeting, Mr. Fernandez was not a good neighbor.

Board Member D'Andrea pointed out the attended parking was never brought up at the ULURP/Zoning Committee meeting. It is still unclear. Why must it be attended, she questioned.

Mr. Lobel answered the requirement is eight spaces unattended; by providing six spaces there will be an attendant. This is not a parking lot, but accessory parking to the four buildings.

Board Member D'Andrea continued where it will be.

Mr. Lobel responded in an area on the property.

Board Member D'Andrea reiterated it was never presented at the ULURP/Zoning Committee and stated it's an issue.

Mo Lobel apologized for the omission of attended parking at the ULURP/Zoning Committee.

Mr. Lobel answered they are trying to save this site for Mr. Fernandez. Mr. Lobel relayed the damaging past experiences Mr. Fernandez had—his language proficiency is not the best and he hired an architect who did not do the right thing.

Board Member D'Andrea also mentioned photographs should have been presented to the full Board of how the property looked prior to attending the ULURP/Zoning Committee meeting. Those photographs showed the condition the community had to live with for seven years.

Mr. Lobel explained it was a flux with the architect because the architect left the job.

Board Member D'Andrea said as a property owner he was responsible for maintaining the property. As a homeowner she maintains her property. If not, she is summonsed.

At this point, District Manager Cassagnol reported at the Board office the number one property we get complaints on is this particular property. It is pretentious to think that you would assume the Board would approve this variance when it has not been proven the owner is capable of maintaining the property even at its current state. Why should the Board believe the owner would be able to do it from this point forward? Although there was a language barrier and a non-cautious builder was used, it does not make it acceptable. The Board office receives non-stop complaint calls, not just about painting a fence, but from garbage to mattresses to lack of snow removal. The property has been a mess.

Furthermore, District Manager Cassagnol stated he was not supportive, personally, of the proposal. The idea the applicant is requesting more from the Board when it wasn't proven the property was maintained at its most basic level.

Board Member D'Andrea pointed out if these are rental units they will not be maintained.

Next, Board Member James Lisa asked for clarification on the proposed residential buildings.

Mr. Lobel replied it will be four three-story three-family buildings. With every respect, the zoning is being complied with stated Mr. Lobel.

Board Member James Lisa said since adequate parking is not provided for the 12 dwelling units, by law the Board cannot grant the proposal.

Mr. Lobel responded it can be done by the Board of Standards & Appeals based on a variance application with the information as presented to the Community Board. It can be done by a waiver and the applicant is asking for a waiver of two spaces. To mitigate that requirement, someone will always ensure the spaces will be available.

At this point, Mr. William Massano, who lives across the street from the proposed buildings, said parking is critical in the area. There are times when he has come home late at night, and has had to circle for 20 minutes to find parking. Ultimately, he had to park as far away as 111 Street. Although he was happy to see something is being done with the property including getting rid of the vermin, but to add another burden of 12 families and more vehicles, not to mention the curb cuts not being used now would become active, would make it even more difficult to park. Mr. Massano said he was pleased the property would be developed, but not at the expense of not being able to park. Parking is critical in the neighborhood.

Mr. Lobel asked Mr. Massano if he had a garage. Mr. Massano replied no. He has lived in a house when parking was not an issue.

Subsequently, Chairperson Walker asked if Mr. Massano received the consent form supplied by Mr. Lobel. Mr. Massano replied no.

Board Chairperson Louis Walker asked how the consent forms were distributed. The reply was the area was canvassed and they were hand delivered.

Chairperson Louis Walker asked for more details on how the area was canvassed.

Discussion ensued.

Next, Board Member Redd Sevilla asked if the Board does not support the waiver what happens.

Mr. Lobel responded the property may stay the way it is.

Board Member James Lisa commented the property may be condemned and taken away from the applicant.

Mr. Lobel replied that may be and noted the owner had been paying the real estate taxes.

The property would stay as is unless someone else purchased it and it is conformed it to whatever is required, reiterated Board Member Sevilla.

Mr. Lobel informed the Board based on the financial analysis, the only way this property could give the owner a basic minor return is to build what zoning allows except for one yard and two spaces. The application does not ask to change the zone from R6B to R6. The zone stays the same. The applicant is asking the Board to support an application to make this a viable site to eliminate the problems already encountered and have 12 apartments which comply with zoning but has one yard as an issue and two parking spaces as an issue.

Next, the staircase was brought up. Mr. Lobel explained one of the violations is that the staircase is in the yard. Without the staircase, it would not be an objection under the zoning. But through this property runs a street which is on the city map. Someday the city might build on it. Christie Avenue runs from Alstyne Avenue to 103 Street and runs right through the property. The variance requested also seeks to build in the bed of a mapped street. Based on the fact the street had never been improved, permission is being sought to build.

Next, Chairperson Louis Walker asked why the applicant can't build as of right, without the variance.

Mr. Lobel answered the layout of the buildings is such that it will only work, as shown in the financial analysis, with the two minor variances. Two buildings need to be demolished because they are worn by the elements and cannot be saved.

Next, Board Member Priscilla Carrow asked if the owner lived nearby.

The owner replied in Jackson Heights.

Next, Board Member Patricia Terranova said as she understands it you are asking to help the applicant recoup what he has lost on the property, but what about the people who live in that area and had to deal with it over the years. Area residents had to endure all types of problems with the property. For one, she mentioned the problem with rats, and continued if the Board does not approve the variance the property will stay as is. It will

build up with graffiti, kids hanging out, and garbage all over the property again. You are basically saying if the variance is not approved, the property will stay as is and that's wrong.

District Manager Christian Cassagnol interjected just because a property is developed does not mean it will not be full of graffiti again. Graffiti is a huge problem in the area. If the owner was not able to clean up graffiti before, will it be done just because someone lives on the premises.

Recouping what the applicant lost should not be at the expense of the neighborhood. Ask what have the residents lost during the past seven years, or the area resident who has had to drive around looking for parking. This is not fair to the people who live there, continued Board Member Terranova. It's only fair to the applicant's pocket, she noted.

Ms. Sandy Rozario, who also represented the applicant, agreed it was inexcusable that the property was poorly maintained in the past. However, it was a lack of understanding and comprehension in the role of a developer in the community. Mr. Fernandez knows now what is expected of him, and moving forward those problems will not be repeated again.

Although the property had been an eyesore for many years and she agreed the graffiti and garbage are serious concerns, Ms. Rozario was seeking the Board's support to help the project move forward.

Board Member James Lisa suggested the City of New York take the property and use it to help the community, mentioning a park on the site.

Next, Board Member Ann Pfoser Darby questioned can we trust this applicant to work for the neighborhood because of past performance. It does not seem so, and agreed with Board Member James Lisa to use it as a park.

Board Member Edgar Moya commented the Board should not set a precedent for developers to take advantage in the future and since real estate is precious, the applicant had demonstrated non-compliance. He suggested building parking underground.

Mr. Lobel responded building underground cost hundreds of thousands of dollars.

Ms. Rozario understands the distrust but her goal was to process this property and do it well and make sure what is built on the site is built properly. The Board would be informed of its progress every step of the way and would follow through with reputable contractors and architects. The applicant sought help from past mistakes and is ready to move forward. A good team had been hired to work on the project.

Since there were no other questions or comments, the Board Chairperson closed the Public Hearing at 7:40 p.m. The regularly scheduled meeting of the Board followed.