



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**

- DATE:** Monday, April 9, 2018
- PLACE:** Young Israel of Jamaica Estates  
83-10 188<sup>th</sup> Street  
Jamaica Estates, NY 11432
- ATTENDANCE:** Steven Konigsberg, Zoning Committee Chair  
Allen Eisenstein, Board Member  
Kevin Forrestal, Board Member  
James Gallagher, Jr., Board Member  
Jesse Rosenbaum, Board Member
- Others in attendance:** Jose Lopez – Department of Parks and Recreation  
Fayanne Betan – Sheldon Lobel, P.C.  
Stephen Everett – Queens Department of City Planning  
Marie Adam Ovide, CB 8 District Manager  
Jatnna Reyes, CB8 Staff Member

**Purpose of Public Hearing**

In the matter of an application submitted by the Department of Parks and Recreation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the site selection and acquisition of property located at 182<sup>nd</sup> Street between 69<sup>th</sup> and 73<sup>rd</sup> Avenues (Block 7135, Lots 54 and 60) for preservation of open space.

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Zoning Chairperson Steven Konigsberg called this Public Hearing to order at 7:32 p.m.

He explained the procedure for the Public Hearing. He announced that these issues will be brought in a report form to the Community Board’s general monthly meeting. Residents will have the opportunity again to speak at the Board meeting scheduled for April 18, 2018 at 7:30 p.m. These meetings are held at the Hillcrest Jewish Center.

**ULURP Appl. # C180241PCQ**

**Jose Lopez** introduced himself as the Deputy Director of the Parkland Division of the Parks Department. This is an application by DPR and DCAS for the site selection and acquisition of the Brinckerhoff Cemetery which is composed of two lots located along 182<sup>nd</sup> Street. The project site was used as the Brinckerhoff’s family cemetery since 1730. The family arrived in the New Netherlands in the 1630s. By 1730, they had acquired land for farming. This area is known today as Fresh Meadows. The cemetery contained 76 plots and was used from 1736 to 1872.

The site has a wooden fence (the frontage is on 182<sup>nd</sup> Street), on the side and back it has a chain linked fence. It has trees, shrubs and low cover. There are no visible grave stones or markers within the site. Community residents expressed interest in preserving the site, especially the Friends of Brinkerhoff Colonial Cemetery Inc. The site was designated a landmark by LPC 8/14/2012. The neighborhood is predominantly residential with one-family homes. It is located in an R2A zoning not far from the PC district located north east of project site. The other zones are R2 and R4 which are also low density. The proposal is to acquire and preserve the site. Parks is proposing some minor improvements: remove dead trees and prune other trees based on Forestry's final assessment. The sidewalks abutting 182<sup>nd</sup> Street are in very poor condition [points to photos]. They will be replaced. They are planning to put a new fence - hopefully a wrought iron fence. They are planning to work with the Friends of Brinckerhoff Colonial Cemetery to do a historical sign for the site - to tell people the significance of the site. In terms of the maintenance, they will be exploring a partnership with the Queens County Farm Museum which already has an agreement with the Parks Department. They are a not for profit and they already have a connection. The agent's family owns a homestead where the Queens County Farm Museum is located.

**Chairman Konigsberg** reiterated that the public cannot ask questions directly to the applicant. Those who already sign up will have the opportunity to do so. The public can write a question pass it to the front [*paper and pen were passed to the audience*] and give it to a board member who can ask it. He followed by an introduction of the staff members and the members of the board.

**Al Eisenstein** – Are there any funerals going on there at all?

*Answer: No. The cemetery has been closed for a long time.*

**James Gallagher, Jr.** – Greatly impressed by the proposal and that Parks wants to work with the Friends of the Brinkerhoff Cemetery. Point of information - it was voted by Landmarks in August 2014 and was actually approved by the City Council in December 2014.

**Jesse Rosenbaum** – You stated that you will repair the sidewalks. Will you maintain it in the winter as well?

*Answer: Yes. It is a requirement.*

**Jesse Rosenbaum** – You stated that the site will be closed.

*Answer: Yes. There will be no public access. It will be a visual resource for the community. It is not a park for public access. It will be fenced-in and closed.*

**Chairman Konigsberg** – Have you reached out to the neighbors.

*Answer: No, not directly.*

**Steven Konigsberg** - Have you reached out to the neighbors either directly or indirectly? Aside from the notice that they received?

*Answer: No, we have not.*

### **Public Participation**

**Joan Hausmann** – Officer of the Fresh Meadows Homeowners Association and Friends of Brinkerhoff Colonial Cemetery Inc., a 501(c)(3) organization. Her organization was instrumental in getting the colonial cemetery landmark process started back in 2001. They testified back then but it was tabled. The land was incorrectly sold to Joseph Domenico. In March 2012, they learned of the 2010 sale to the new owner. They went to the Landmark Preservation Commission and over 40 people testified at the hearing on May 15, 2012. They submitted a 162- page book to each members of the Commission which documents the history of the site. On August 14, 2012 the Landmark Commission approved the site for land marking. The property was later approved by the City Council on December 10, 2012. On September 17, 2014 Friends of Brinckerhoff Cemetery received their 501(c)(3) designation.

The Friends of Brinckerhoff Colonial Cemetery was only mentioned once as the advocate for the preservation of the site. It is also mentioned that DPR made an agreement with the Colonial Farmhouse Restoration Society of Bellerose, operator of the Queens Farm Museum. Ms. Hausmann asked if DPR knew that the civic supplied 25 land marking books to the Board of the Farm Museum in 2013. She also asked if DPR was aware that the same entity voted against helping them. She wanted to know if DPR intends to include the Friends of Brinckerhoff Colonial Cemetery in the future. The group was contacted only the day before the Mayor's announcement of his plan to purchase the site. They received no answers to their 2015 letter sent to Councilman Rory Lancman. They fear that they are being left out. They need a commitment that their group will be included in all future plans. [*A written statement was given for the record*].

**James Gallagher, Jr.** – He added that he received an email from one of the NCO officers. He spoke to a couple of people on the block. They informed him that people have been dumping garbage for quite some time including a ladder. A young boy was playing there and was the one who propped up a ladder. We want to make you aware of that. The sidewalks and curbs need to be fixed in the worst way. You must speak to the owner on this issue.

**Answer:** *The Borough President and Council Member have allocated funds for us to make minor improvements to the site.*

**James Gallagher, Jr.** - The ULURP Procedure takes about a year and a half.

**Answer:** *Hopefully it can be done in the next six months. We do have a willing seller in this situation.*

**Yolanda Delacruz Gallagher** – Introduced herself as the President of the Friends of Brinckerhoff Cemetery. She wanted to tell the public before this was landmarked, before the advocacy, she went to Bill DeBlasio when he was just the Public Advocate. She gave him all this documentation. She never knew he would become Mayor. He had asked her to stay on top of it. She has been writing and has not heard from the Elected Officials. This was an advocacy of over half a century. Around every election they would come. They [residents] are not asking for your money but the people's money. We are tired of all the talk. It is the citizen's money. Listen to the people. It is very dark there. Who knows if the ladder has not been used to burglarize somebody's house? Every now and then we are in the newspaper and every reporter were chasing them – the hot tamale. It is more than publicity. Before you do anything, consult the community. We know where the headstones are and do not excavate this property. The vacant lot is not as vacant as you think there are hundreds of babies who have been thrown there. They are not in graves not in coffins.

**Joe Stein** – His house borders just outside this property. He is surprised that it will be maintained in alliance with the Queens Farm Museum. Why would the City not do it conjunction with the people who live in the neighborhood? This double lot is situated amongst all our homes. Who would have more interest in maintaining it? The sidewalks should certainly be done by the City. The reason for the dumping is because it looks like a dump. The City neglected it for the last hundred years. Mr. Domenico didn't buy the gravestones to save them. He did so to desecrate them so he could get away with selling it to somebody who would build houses on it; to pretend that it was not a cemetery. It is a beautiful piece of property. Sidewalks should get fixed; dead trees cleared out; the neighborhood committee should be allowed in there along with help from Sanitation to plant flowers, maybe benches and markers to show the historical significance. To do this without talking to the people who fought to preserve it and live around there and helped is very short sighted.

**Answer:** *He is very happy to hear that the community has an interest, once they acquire the site. The site has been privately owned and still is. The City cannot go in and maintain it for the private owner. He is delighted that there is strong interest in the community, especially from Friends of Brinckerhoff Cemetery in maintaining this area. The reason why they are looking to work with the Queens Farm Museum is that this site is not located near a major park. They always want partnerships and help to*

*maintain their properties. He will give his contact information to those interested and keep them up to date with the project. Hopefully the site gets acquired.*

**James Gallagher, Jr.** - Is your office in the Overlook?

*Ans.: No, the office is in Central Park.*

**Steven Konigsberg** - One of the questions from the public is whether or not the City has bought the property yet.

*Answer: We need to complete a ULURP process for the City to obtain the authorization to negotiate the purchase of the property. As previously stated, there is a willing seller. The City has the funding to make an offer. Hopefully, the City is able to acquire it.*

- Are you at liberty to disclose what the purchase price is?

*Answer: The purchase price is something that will be determined by the Department of Citywide Administrative Services that will do an appraisal. It will be the market value of the property. Someone from DCAS will make an offer.*

**Steven Konigsberg** - So, there is not a negotiated price yet?

*No, not yet.*

**Is there any reason, to your knowledge, why the City has not been in touch with the current owner about maintaining the property, the cleanliness, prevent dumping and/or issuing violations?**

*Answer: He cannot speak for the City as a whole. Residents can call 311 for the sidewalks and other issues. The Parks Department doesn't have any direct role in regards to the property, except for this project.*

**Steven Konigsberg** - Mentioned something about the timeframe for this process, you said about six months.

*Answer: Six to eight months. The Community Board has sixty-days. He thinks that the community review will probably finish before the sixty-days then it goes to the Borough President. She has thirty days and will also hold a hearing. He'll reach out to see if it can be expedite. After that, it goes to City Planning which has sixty days to weigh in. Finally, it goes to the City Council which has the option to call up the item within three days, if not it automatically approved.*

*Council Member Lancman is very interested in seeing this happening along with the Borough President. We have the funds and we have the political support. Hopefully, we'll have the Community Board support as well. We will just continue the process until it is completed.*

**Marie Adam-Ovide** – Someone asked about lighting. Do you have any plans for lighting for the site?

*Answer: Currently, we do not have any plans. It would have to be something to consider. This is a very low density area.*

**Marie Adam-Ovide** – That should be something to consider. When there is a dark space it creates issues [vandalism]. Sometimes teenagers would go in there. We want to avoid these problems.

*Answer: The site is now open. Hopefully once it is cleaned-up, fenced-in and a sign posted, it would deter people from entering the property.*

**Marie Adam-Ovide** – The youth can climb the fence. The lighting is necessary so the neighbors can see who might be going in. If they know they can be identified by the neighbors they are less likely to go in.

*Answer: This is a good point. I'll take it back.*

**Allen Eisenstein** – He stated that we have some more questions from the community. They have asked about the market value of the property. I understand that the City [DCAS] has to first determine the market value.

*Answer: It will be a regular appraisal.*

**Allen Eisenstein** - The other question has to do with the sick trees there. You [Mr. Lopez] have stated that Forestry would assess and take care of that.

*Answer: He stated that Forestry has inspected the site about two or three years ago. There was a tree on the sidewalk that was dead, which has since been removed. There were about 14 trees within the site that might need pruning and some of them might need to be removed. In addition, the site is a landmarked site; any work (even a fence) that has to happen must go through the Landmarks Preservation Commission for approval.*

**Allen Eisenstein** – How long is the process?

*Answer: I would say between six to eight months.*

**Allen Eisenstein** - We can hold you to one year from today that it will be done?

*Answer: If we make an offer to the seller and it is accepted then we have a deal.*

*Steven Konigsberg asked if anyone had any other questions. Seeing none, he asked for a motion.*

**Allen Eisenstein** – He made a motion to approve ULURP Appl. #: C 180241 PCQ for the Department of Parks and Recreations and the DCAS’s acquisition of the Brinckerhoff Cemetery.

**Kevin Forrestal** – Second

*Steven Konigsberg asked if there were any comments with respect to the motion. Seeing none, a roll call vote was taken.*

**Vote:**

**5 in favor**

**0 opposed**

**0 abstention**

**Board Members who voted in favor:** Allen Eisenstein, Kevin Forrestal, James Gallagher, Jr., Steven Konigsberg and Jesse Rosenbaum.

**Board Members who voted against:** None

Meeting adjourned at 8:01 p.m.

*Respectfully submitted by,  
Marie Adam-Ovide, DM*