

QUEENS CIVIC CONGRESS, INC.

The Queens Civic Congressional
PO. Box 238, Flushing, NY 11363

David Kulick, Editor

Sean Walsh, President

Corey Bearak, Executive Vice President/ Executive Editor

www.queensciviccongress.org



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The Queens Civic Congress

Invites you to its

Installation of Officers

Monday, October 15, 2007 at 7:30 p.m.

*at Kew Gardens Community Center, 80-02 Kew Gardens Rd. Suite 202
at Union Turnpike & Queens Boulevard Kew Gardens, NY 11415*

Keynote Address by Assemblywoman Catherine Nolan

Installing Officer: Assemblywoman Barbara Clark

The 2007-2008 Queens Civic Congress Executive Committee:

President:

Corey Bearak

Executive Vice President:

Patricia Dolan

Treasurer:

James Trent

Secretary:

Seymour Schwartz

Vice Presidents:

*Rich Hellenbrecht, Edwin Westley, Paul Kerzner, Nagassar Ramgarib,
David Kulick, Audrey Lucas, Tyler Cassell, Dorothy Woo,
Harbachan Singh, Barbara Larkin and Kathy Masi*

Founders:

President Emeritus Sean M. Walsh, Robert Harris, Albert Greenblatt

Refreshments

Off-street Parking available (fee) in Kew Gardens Road's Garage

RSVP: (718) 343-6779 or email Bearak@aol.com

President's Letter

Dear Members:

We are looking forward to an exciting year with several great programs such as a preservation workshop, a real estate tax forum, and our biennial luncheon in the spring and our elected reception in December. You will find reports in the newsletter on Jamaica zoning update, our testimony before the City Council on flooding. Our opening meeting of the civic year was a resounding success with Commissioner Benepe and his Queens staff giving us the state of our parks and their future. Every civic leader seemed to get their wish list that night from the Commissioner. If you were not there shame on you. See my follow up letter to the Mayor (inside) on the need to deal with paving over grass in the lower contextual zones as a contributing cause of flooding. We have asked the Parks Commissioner to name the Flushing Corona Park new swimming pool complex after Claire Shulman.

The By-law amendments were approved, thereby increasing the Vice Presidents from nine to eleven and naming me President Emeritus and Founder. Thank you for the honor as I step aside after ten years of building the QCC to its current status. I will continue as the President of the QCC Foundation for another year to complete the grant requests I have been seeking. Congratulations to Corey Bearak on being elected president and all the officers. Welcome to three new Vice Presidents Barber Larkin, Kathy Masi, and Harbachan Singh. The officers will be installed at our annual meeting on October 15th by Assemblywoman Barbara Clark. The key note address will be given by Assemblywoman Cathy Nolan. I think this is our strongest board to date, and I have high expectations of them in the coming year.

The recent massacre of trees by the LIRR was an outrage, the QCC responded along with several of the civics who rallied around common sense. Many of the public officials who speak at our meetings will often say that they hope our members would invite them to address their civics. So, please take advantage of your opportunity to meet these people. We also hope that civic presidents would bring their other board members to our meetings in order to increase their awareness. Take a look at our web site it has been brought up to date.

Very truly yours,

Sean

Sean Walsh

QCC Meets With Parks Commissioner Benepe Calls For Task Force

After its September 18, 2007 general membership meeting featuring an address by, and question and answer session with City Parks Commissioner Adrian Benepe, the Queens Civic Congress called on Mayor Michael Bloomberg to form a task force consisting of City Planning, Environmental Protection, and Parks to oversee reforms to the Zoning Resolution to complement and ensure the greening of the city. "On Monday night Commissioner Benepe spoke at our meeting of civic presidents from throughout Queens," wrote QCC President Sean M. Walsh in a letter to the Mayor, "It was an excellent discussion of issues facing our parks. Commissioner Benepe presented the one million tree program to make New York green. We are in total support of your program ascetically and environmentally."

The irony we raised to Commissioner Benepe is despite the city doing its part, we now see private owners cutting down trees and paving over large portions of their properties which traditionally would have remained covered with grass or scrubs. The city can only plant grass and trees on the land it owns which frankly is limited as compared to amount of private land in this city.

Vegetation is not only ascetically pleasing; but it cools the environment, produces oxygen, and provides drainage for rain runoff. The recent flooding experienced in Queens was in part due to excessive runoff into city catch basins. If the city were to do a comparison aerial map over ten, five years and today on the loss of porous ground in Queens due to excessive paving, it would identify a dangerous trend.

QCC has urged the Department of City Planning to issue stricter rules on how much of R1, R2, R3, and R4 properties can be paved, but have seen no movement. Some might argue that this is a denial of property rights. We believe the rules should be reasonable. However, this is an environmental health issue affecting the lives of millions of people. The law has long recognized that riparian rights are not absolute, for example one can not change the grade of ones land to flood a neighbor.

QCC looks forward to working with the needed task force it calls for to enact responsible land use regulations.

QCC Concedes Nothing

In response to mounting criticism by park advocates of the way concessions in Red Hook, Brooklyn, and Flushing Meadows Corona Park and on Randall's Island were granted, City Council Speaker Quinn has scheduled an oversight hearing by the Council Parks committee on October 24. QCC will present testimony calling for greater public review, including legislative oversight, of the awarding of concessions, most of which are in parks. QCC's recommendations, included in our CIVIC 2030 platform include: "Strictly limit Major Concessions in Parks - Repeal the 1998 Rules for Major Concessions and create new ones that establish realistic triggers for public review and legislative oversight, such as: a) Marinas; b) Parking lots of any size; c) New buildings of more than 10,000 square feet -- not in parks; d) New buildings of more than 5,000 square feet -- in parks; e) Open use in park -- 5,000 square feet; f) Restaurant -- 150 seats or more; and g) One or more concession totaling 25% of one park.

In addition, QCC will call on the Council to authorize the Parks Department to retain funds generated by concessions for improvements to the park where the concession is located. QCC understands the contribution concessions make to enjoying parks but irreplaceable parklands should not be handed over to private interests without rigorous public scrutiny.
--Patricia Dolan, KGHCA

From Queens Coalition for Parks & Green Spaces:

Greetings to all! Please know that we have been advised from our friends at New Yorkers for Parks that this years crop of daffodil bulbs have arrived! The bulbs in Queens will be distributed on Sunday, October 14, 2007, rain or shine at the following locations from 10 AM until 2 PM.

Location #1 Lost Battalion Hall-Queens Blvd in Rego Park

Location #2 The Overlook, 80-30 Park Lane South, Kew Gardens NY 11415

Bulbs are for planting in parks, greenstreets, tree pits and other public spaces. They are not for private property and private gardens. These are part of the Sept 11, 2001 Daffodil Project Tribute meant to honor those that perished and/or served in rescue and recovery operations. Volunteers will be at both sites to assist you with your pickup. Please note that the pickup times are 10AM until 2 PM, but please get to the sites before 2PM(or earlier) Please also go to one site and not both. IF you are requesting 1000 bulbs or more, you must let NY4Ps know in advance at 212-838-9410.

Please note that at site #2 The Overlook--the QCP & GS will be giving out free refreshments, free hand tools and other supplies to make your planting easier. At The Overlook, the QCP & GS will also be sponsoring a free raffle for 2 paper shredders, and some other items. Once you enter the raffle you do not have to stay for the 2 PM drawing. Raffle is free if you come to the Overlook to pick up your bulbs. Remember to plant your bulbs BEFORE the ground gets hard and cold. Its My Park Day is October 20, 2007, so this is perfect timing to make the Daffodil Project a part of your Its My Park Day activities.

No More Hard Yards

Since its founding a decade ago, the Queens Civic Congress has made a priority of preserving Queens' streetscapes, especially in low density neighborhoods. QCC supports -- with some needed changes -- the Zoning Text Amendment ("Yards Text") recently proposed by the Department of City Planning that will effectively prohibit paving front yards in R1, R2, R3, R4 and R5 districts. Homeowners in those districts will be required to landscape front yards based on frontage ranging from 20% for narrow lots (less than 20' wide) to 50% for lots 60 feet or wider. Parking in R1 and R2 front yards will be banned. QCC has recommended that Queens Community Boards -- during their consideration of the amendment -- support these needed changes to make the Yards Text a more effective zoning tool.

In a letter to Community Board Chairs, QCC President Sean Walsh wrote, "While these text amendments do not meet all our CIVIC 2030 Platform demands, they go a long way to accomplish community needs." The Queens Civic Congress submitted each letter as its formal testimony in support of the Department of City Planning Commission's Yard Text Amendment.

QCC supports the Yards Text amendment with the following necessary amendments:

Reduce the front yard fence from the proposed four feet to three feet and require that it be 50% open. In addition, the front fence rule needs to apply to all corner houses for both their yards facing the street. (The proposed text language is unclear for the second front yard).

Require the proposed 50% planting for the entire property not just for the front yard in R1, R2, and R3 zones. 50% is a very low percentage for any portion of the property. Aesthetics is not the only issue at stake. Environmental circumstances dictate the need for private green space to clean our air, moderate the air temperature, and prevent flooding.

QCC's executive committee urges each member organization to support these recommendations to their community board. Please copy any letters or testimony to QCC's incoming President Corey Bearak and Executive Vice President Patricia Dolan.

The public comment period for the amendments will close on November 15. The proposed text amendments are available at www.nyc.gov/planning.

Willow Lake Tours

The Flushing Meadows Corona Park Conservancy has arranged with the Park Rangers two tours of the Willow Lake Natural Area-- Saturday Nov 3 and Saturday Dec 22.

For either day, meet at 10AM at the Al Mauro Playground, 73 Avenue and Park Drive East-- on the east side of the park midway between Union Turnpike and Jewel Avenue. For more information call 718 539-8462. Look for more details soon on the conservancy's website, <http://www.fmcpcconservancy.org/>.

QCC Comments On Need To Change BSA

The Queens Civic Congress last month shared its views on reforming the Board of Standards and Appeals (BSA) as the City Council looked at legislation impose changes, including establishing an appeals process, at this agency which considers zoning variances. In a letter to City Council Members, QCC President Sean M. Walsh commented on pending legislation, Intros: 261 and 263 and made the following recommendations for meaningful reforms to eliminate even the need for any appeal of BSA decisions:

Instead of increasing at great expense the number of commissioners, who will still be controlled by the political process, QCC suggests that the Council mandate the hiring of financial analysts to examine the basis of each applicant's figures establishing economic hardship. Currently the BSA can not get down into sufficient detail to determine the economics of an application. Most civic groups can not afford to hire accountants and real estate experts to do this work. This analysis is where cases are won and lost or the size of the variance is reduced or facts from which appeals may be successfully argued. Require a detailed neutral financial report submitted to each side before the hearing is closed.

Legislatively outlaw the common argument made by developers "obsolete zoning." This argument is a common argument made by developers who have a weak financial case for hardship but then say the block or neighborhood needs to change. This is a question for DCP. The DCP should have a seat on the BSA.

Communities win cases before BSA, but the developer withdraws sensing a negative vote. This leaves the community without any precedence for the site under consideration leaving them to completely re-argue the same site over and over again at great expense. If you note there are very few negative votes at BSA. The reason is that the lawyer for the developer goes to the Monday executive session which is open to the public and hears the preliminary decision of the BSA which is announced the following day, Tuesday. The lawyer calls his client and tells him if he is going to loss, and then he withdraws the application to avoid any negative decision on the record. This has tremendous repercussions for the civic community who beat the applicant, but the record is now gone! QCC calls for legislation to stop this by denying the applicant from withdrawing the applicant once the evidentiary hearing is closed. This will enable a body of negative decisions to exist on the record for future reference.

The appeals process is attractive but QCC believes it is legally flawed. BSA exists as a panel of experts in the field to make limited exceptions to the Zoning Resolution. If the Council can override a technical decision of a non political body, then it engages as a political arm of the government (unlike the old Board of Estimate which was an Executive function) over a land use function, something the courts have not supported. Aside from this and more important for civics is the statute of limitations to bring an appeal. It is currently 30 days from the filing of the BSA decision (which is difficult to discover if you do not go down there every day). The proposed legislation does not toll an appeal to the courts. Therefore, the Council must either extend the time to appeal to the standard Article 78 time frame of 120 days and or toll it until the Council renders a written decision to override, sustain, or decline to hear the matter. We know the Council will rarely hear these cases due to political considerations, but communities will not want to loss our ability to go court while the Council fiddles as Rome burns. Furthermore, any tolling of an appeals process will not likely be supported by the development community.

A Note on Our Mailing List

Please help us keep accurate records. Occasionally, civics change their contact information. Many of our civics elect officers this month. It remains important that each civic provide updates to phone, email and address information, and of course the name of the key contact.

All should be sent to our Secretary Sey Schwartz C/O The Queens Civic Congress, PO Box 238, Flushing, NY 11362 or email Sey at seschwartz@netzero.com. Also if you know of changes in civics other than yours, please feel free to pass that information on to Sey. Sometimes the need to update information is not clear to the new civic contacts.

Meeting Schedule

Monday, November 19, 2007, 8:00 p.m.

Queens Civic Congress Executive Committee – Update from Department of Buildings Deputy Commissioner Robert LiMandri (invited) and Pam Bennett, Citizen Action of New York, will discuss Public Financing of State Elections. Presentation by former Queens Borough President Claire Shulman on the City's plans for Willet's Point.

at Union Plaza Nursing Home 33-23 Union Street Flushing, five blocks north of Northern Boulevard

Sunday, December 2, 2007, 1:00 – 4:00 p.m.

Queens Civic Congress Legislative Reception

at The Douglaston Club, 600 West Drive, Douglaston, NY 11363

February 4, 2008, 7:30 p.m.

Queens Civic Congress Executive Committee

at Union Plaza Nursing Home, 33-23 Union Street Flushing

Monday, March 31, 2008, 7:30 p.m.

Queens Civic Congress – Zoning Forum, including R1-2 and Row Houses

at Kew Gardens Community Center, 80-02 Kew Gardens Road, Suite 202, at Union Turnpike and Queens Boulevard, Kew Gardens, NY 11415

Sunday, April 6, 2008, 1:00 – 3:00 p.m.

Queens Civic Congress biannual Luncheon, Invitation to Governor Eliot Spitzer to

Keynote [watch for more details and honoree]

at Antun's, 96-43 Springfield Boulevard, Queens Village, NY 11429

Sunday, May 18, 2008, 9:30 – 11:30 a.m.

Legislative Forum: Real Estate Tax Reform

sponsored by Queens Civic Congress and Northeast Queens Jewish Community Council

at the Samuel Field Y, 58-20 Little Neck Parkway, Little Neck, NY 11362

Includes Free *light* breakfast courtesy of Parker Jewish Institute

To be scheduled:

Landmarking and Preservation workshop.

Contact: QCC Executive President Patricia Dolan for details.

2007 Committee Chairs

Audit.....	Phil Ragusa, CPA
By Laws.....	Albert Greenblatt
Aviation & Noise.....	Seymour Schwartz
Building Access Legislation.....	Paul Kerzner
Building Code Enforcement.....	Nagassar Ramgarib
City Charter & Governance.....	James Walsh
Community Facilities.....	Tyler Cassell
Coops and Condominiums.....	Marc Haken
Creedmoor Task Force.....	Bernard Aquilino
Economic Development.....	Chris Collett
City Infrastructure & Capital Program.....	Dorothy Woo
Congress Platform.....	Richard Hellenbrecht
Health/Hospitals & Social Services.....	Kevin Forrestal
Higher Education.....	Kimberly Francis
Housing Development.....	Tom Paino
Newsletter.....	David Kulick
Nominations.....	Helene Zaro
Parks & Cultural Affairs.....	Audrey Lucas
Planning.....	Pat Dolan
Public Education.....	Edwin Westley
Public & Legislative Affairs.....	Corey Bearak
Public Safety.....	Mary Anderson
Preservation and Landmarking.....	Paul Graziano
Tenants.....	Florence Fisher
Transportation.....	Jim Trent
Workshops.....	Robert Harris
Zoning Enforcement.....	Joseph Amoroso

Queens Civic Congress Membership as of September 2007

Association of Old Forest Hills ♦ Auburndale Improvement Association ♦ Bayside Civic Database ♦ Bayside Clear-Spring Council ♦ Bayside Hills Civic Association ♦ Bayswater Civic Association ♦ Bay Terrace Community Alliance, Inc. ♦ Bellaire-BellVill Civic Association ♦ Belle Harbor Property Owners Association ♦ Bellerose Commonwealth Civic Association ♦ Bellerose Hillside Civic Association ♦ Bell Park Manor Terrace Community Council ♦ Bowne Park Civic Association ♦ Briarwood Community Association ♦ Cambria Heights Civic Association ♦ Cherry Robinson Homeowners ♦ C.O.M.E.T. (Communities of Maspeth-Elmhurst Together) ♦ Concerned Citizens of Laurelton ♦ Cornucopia Society ♦ Creedmoor Civic Association ♦ Deerfield Area Association ♦ Doug-Bay Manor Civic Association ♦ Douglas Manor Association ♦ Douglaston Civic Association ♦ Dutch Kills Civic Association of Long Island City ♦ East Flushing Civic Association ♦ Federated Block Associations of Laurelton ♦ Federation of Civic Associations of Southeast Queens ♦ Floral Park Community Council ♦ Flushing Heights Civic Association ♦ Flushing on the Hill Taxpayers Association ♦ Forest Hills Chamber of Commerce ♦ Forest Hills Crescents Association ♦ Forest Hills-Van Court Association ♦ Fresh Meadows Homeowners Association ♦ Georgetown Mews ♦ Glendale Civic Association of Queens ♦ Glen Oaks Village Owners, Inc. ♦ Greater Astoria Historical Society ♦ Greater Whitestone Taxpayers Civic Association ♦ Harding Heights Civic Association ♦ Hillcrest Estates Civic Association ♦ Hilltop Village Co-Op #1 ♦ Hilltop Village Co-Op #2 ♦ Hilltop Village Co-Op #3 ♦ Hilltop Village Co-Op #4 ♦ Hollis 11423 Block Association ♦ Hollis Hills Civic Association ♦ Holliswood Civic Association ♦ Hollis Park Gardens Civic Association ♦ Holly Civic Association ♦ Hunters Point Community Coalition ♦ Hyde Park Gardens Cooperative ♦ Jackson Heights Beautification Group ♦ Jamaica Estates Association ♦ Jamaica Hill Community Association ♦ Juniper Park Civic Association ♦ Kew Gardens Civic Association ♦ Kew Gardens Hills Homeowners Association ♦ Kissena Park Civic Association ♦ Little Neck Bay Civic Association ♦ Little Neck Pines ♦ Malba Civic Association ♦ Meadowlark Gardens Owners ♦ Middle Village Maspeth Civic Association ♦ Middle Village Property Owners Association ♦ Mitchell Linden Civic Association ♦ Neponsit Property Owners Association ♦ Newtown Civic Association ♦ North Bellerose Civic Association ♦ North Flushing Civic Association ♦ North Hills Estates Civic Association ♦ Northwest Clearview Homeowners Association ♦ Norwood Civic Association ♦ Oakland Terrace/ Gardens Community Council ♦ Off Broadway Homeowners Association ♦ Our Neighborhood Improvement Association ♦ Parkway Village Historical Society ♦ Queensboro Hill Neighborhood Association ♦ Queens Colony Civic Association ♦ Queens Community Civic Corp. ♦ Queens Village Civic Association ♦ Ramblersville-Hawtree Civic Association ♦ Richmond Hill Historical Society ♦ Ridgewood Property Owners and Civic Association ♦ Rockaway Park Homeowners/Residents ♦ Rocky Hill Civic Association ♦ Rosedale Civic Association ♦ Royal Ranch Association. ♦ Southeast Queens Concerned Neighbors ♦ South Ozone Park West Civic Association ♦ Springfield/Rosedale Community Action Association ♦ Station Road Civic Assoc. of Auburndale ♦ Sunnyside Gardens/Harrison Place Homeowners ♦ Surrey Estates Civic Association ♦ Union Turnpike Merchants Association ♦ United Forties Civic Association ♦ United Mutual Veterans Housing, Inc. ♦ Utopia Estates Civic Association ♦ Waldheim Neighborhood Association ♦ Wayanda Civic Association ♦ West Cunningham Park Civic Association ♦ Westmoreland Association ♦ Woodside Community Council