



# Queens Civic Congress

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July 6, 2009

To the editor,

Queens Civic Congress and the 110 civic associations it represents covering every community throughout the borough strongly opposes City Hall's latest [scam](#) to remove from the public its right to challenge, at any time, and to demand an official examination, inspection and resolution by the Buildings Department with respect to established zoning regulations and Building Code requirements. Queens Civic Congress objects to new [procedures](#) make filing a challenge more onerous than the current 311 complaint and remove any possibility of filing an anonymous challenge. These outrageous procedures represent nothing more than a continuation of the arrogance that this administration shows to the ability of the public to influence development in our neighborhoods.

Now that the Mayor and most of his agency heads are about to kick back and enjoy the fruits of extending term limits [without asking the voters](#), the public should prepare for the latest slamming from City Hall. Starting, Monday, July 13, the Department of Buildings (DOB) will post plans for pending work permits on its website so that the public can identify problems with planned projects and file complaints in a timely fashion. Sounds good? Read on.

Members of the public, few with any architectural or planning expertise, face a new [requirement](#) to hunt around the DOB's website to identify pending projects and file a complaint. All this must be done within all of 45 days. If DOB's finding fails to adequately address a complaint, recourse involves an appeals process that culminates with the City's Board of Standards and Appeals (BSA); appeals to the BSA likely require members of the public and civic associations to incur legal expense they do not face under the prior rules.

This new [process](#) flies in the face of [reality](#) and basically drafts the public to act as more than eyes and ears to report possible violations and illegal conditions. The new rules unrealistically and most inappropriately requires the general public to essentially act as building plan examiners and building code inspectors. In truth, members of the public rarely become aware of projects until they see shovels in the ground and construction underway; this occurs long after a permit DOB issues its permit approvals and the 45-day opportunity to complain has elapsed.

The new process for posting plans on line continue to omit zoning calculations and analyses from the plans on DOB's website; this short-circuits any effective use of the new complaint process. Absent zoning analysis, the public remains unable to determine if, in fact, a project conforms with zoning or building regulations and an objection unwarranted.

The new process also abrogates the critical role of community boards as our local watchdogs. The underfunded, under-resourced boards, made up of volunteers and dependent on small staffs, currently lack the expertise to monitor development in their areas and act in time to meet the DOB's 45-day window. City Hall also continues to deprive our community boards of the financial resources to engage such experts. As a result – and maybe City Hall wants this

unacceptable outcome, inappropriate development rises beneath the public's radar. This change clearly puts concerned community members, community boards and others concerned without the crucial ability to represent their communities.

Look at how the rule works. It confers on developers and contractors 45-day statute of limitations after which the Buildings Department will issue a work permit and leave the developer home free. The likelihood of successful complaints surviving DOB's appeals process: just about nil; just ask any citizen who has spent time with the DOB or the Board of Standards and Appeals.

Leaders of the more than 110 civic organizations that make up the Queens Civic Congress tell us they will not be able to catch plans from property owners before DOB certifies projects and contractors begin their work. Civic leaders express concern at how they and their communities will cope with DOB's notorious practice of allowing applicants to self-certify plans for projects as legal and conforming with all city regulations.

The rule, if left standing, immunizes corrupt practices and limits the public's right to address illegal conduct whenever and wherever found. It violates our fundamental rights as citizens.

Maybe City Hall wanted this all along. Maybe they seek to disguise an overdevelopment tool as they continue to scheme how to remake sound communities, play cute with zonings and text changes Queens Civic Congress and others advocate, and allow many essential landmarking opportunities to fall prey to inappropriate and unnecessary development.

Queens Civic Congress urges concerned community members and others – included our electeds (and would-be electeds) – who share our concerns to join us outside to DOB at 280 Broadway, Friday July 10, 2009 at 12:00 noon.

Sincerely,

Corey B. Bearak, Esq.  
President

*[Note: Queens Civic Congress Membership follows below]*

Find Queens Civic Congress Members on the web at: <http://queensciviccongress.org/organization/members.php>.

### **Queens Civic Congress Members**

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. ♦ Bay Terrace Cooperative Section 1 ♦ 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 Broadway ♦ Broadway Flushing Homeowners Association ♦ Cambria Heights Civic Association ♦ Civic Association of Utopia Estates ♦ 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 Elmhurst Corona Civic Association ♦ 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 Association ♦ Holly Civic Association ♦ 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 ♦ Kew Gardens Improvement Association ♦ Kissena Park Civic Association ♦ Little Neck Bay Civic Association ♦ Little Neck Pines ♦ Long Island City Alliance ♦ Malba Civic Association ♦ Meadowlark Gardens Owners ♦ Middle Village Property Owners Association ♦ Mitchell Linden Civic Association ♦ Neponsit Property Owners Association ♦ Newtown Civic Association ♦ Newtown Historical Society ♦ North Bellerose Civic Association ♦ North Flushing Civic Association ♦ North Hills Estates Civic Association ♦ Northwest Clearview Homeowners Association ♦ Norwood Neighborhood Association ♦ Oakland Terrace/ Gardens Community Council ♦ Off Broadway Homeowners Association ♦ Our Neighborhood Improvement Association ♦ Our Neighbors Civic Association of Ozone Park, Inc. ♦ 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 Association Civic ♦ 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. ♦ Waldheim Neighborhood Association ♦ Wayanda Civic Association ♦ West Cunningham Park Civic Association ♦ Westmoreland Association ♦ Woodside Community Council