

CANDIDATE FOR NYS SENATE, 15TH DISTRICT

# Danniel Maio

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April 26, 2022

York Bergin, Encroachment Coordinator  
Highway Inspection & Quality Assurance  
NYC DOT Newsracks, Defacement & Encroachment Unit  
55 Water Street, 7th Floor, New York, NY 10041

RE: Notice of Encroachment/Order dated February 15, 2022 Block 3902 Lot 4

Dear Mr. Bergin,

The property owner, Maryanne Karner, of the above referenced property has complied with your order. The white fence and stones have been removed at her expense. See picture. She would appreciate an order satisfaction acknowledgment from your office. Thank you for extending her March 17 deadline until May 1, 2022.



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MAIO UNITES, (212) 255-5890 [SENATE@MAIO.NET](mailto:SENATE@MAIO.NET)

I understand that Ms. Karner has been a resident and homeowner of the property for close to 40 years. The city's section of the property abutting Ms. Karner's has always been well maintained. Along this stretch of Union Turnpike until Queens Boulevard, there are many examples of city property used by abutting homeowners. I believe we could agree that sections maintained by those homeowners are in better condition than those maintained by the City.

Now that the fence has been removed, my concern is that this section of the road would have more trash littering, unsightly truck/car parking like the ones in the picture one block away, and increased likelihood for accidents when there were none before.

City has thousands of similar parcels. Hundreds of them are being cared for with authorization. Could you advise which office or agency Ms. Karner or myself could contact so she could maintain her lot with authorization?

If the city has no intention of using the property, Ms. Karner and her neighbors should not be punished for having spent time and money to make neighborhood better.

As a candidate for State Senate in which the district covers Ms. Karner's property, I am looking for ways to improve our bureaucracy and the community. **Orders that would make the neighborhood more unsafe should not be promulgated**, which I believe, it will be now that the fence has been removed.

It is not my intention to criticize you for doing your job. Should you have recommendation or proposal for laws or rules that this politician can propose to make your job more rewarding and meaningful, do let me know.

You can contact me at the email or phone number listed. Thank you.

Sincerely yours,

Danniel Maio



**NOTICE OF ENCROACHMENT/ORDER**

**PROPERTY OWNER:**

Maryanne E. Karner  
95-01 72<sup>nd</sup> Avenue  
Forest Hills, NY 11375

**DATE:** February 15, 2022

**BLOCK:** 3902 **LOT:** 4

**PLEASE TAKE NOTICE** that there is an unauthorized projection or encroachment abutting your property at, **95-01 72<sup>nd</sup> Avenue**, in the Borough of **Queens**, in violation of Section 19-133 of the NYC Administrative Code.


**VIOLATION:** **White fence (along both 72<sup>nd</sup> Avenue & Union Turnpike); Wooden Fence (Perpendicular to Union Tpke), Stones Along Curb (on both 72<sup>nd</sup> Ave & Union Turnpike)**  
(Description of projection or encroachment)

You are hereby **ORDERED AND DIRECTED** to remove the unauthorized projections or encroachments within 30 days of the date of this notice, or earlier if directed on this Notice.

**PLEASE TAKE FURTHER NOTICE** that unless the said encroachment is removed within 30 days after the date of this Notice or earlier if directed, the Commissioner, pursuant to Section 19-133 of the Administrative Code of the City of New York, may direct and cause such projection or encroachment to be removed at your expense. You shall be liable to the City for all expenses incurred by such removal or alteration, together with such penalties as may be prescribed by law. In addition, the Commissioner may certify the cost and expense of such removal, alteration, repair or restoration to the Commissioner of Finance and every such charge shall be a lien against your property.

You may send any written comments you may have regarding this notice to, Mr. York Bergin, Encroachment Coordinator, Highway Inspection and Quality Assurance (HIQA), 55 Water Street, 7<sup>th</sup> Floor, New York, NY 10038, or via email to [encroachments@dot.nyc.gov](mailto:encroachments@dot.nyc.gov). Please note that any comments must be mailed within 5 days of receipt of this notice. You will receive an expeditious response.

You shall have 30 days to comply with the order. Failure to comply with the order may result in the issuance of a summons. Pursuant to Section 19-150 of the Administrative Code, minimal fines range from \$250 to a maximum of \$1,000. In addition, all violations on the property are filed with the County Clerk.

  
York Bergin  
Encroachment Coordinator  
Highway Inspection & Quality Assurance