



ELIZABETH BRATON
Chairperson

COMMUNITY BOARD 10

CITY OF NEW YORK ♦ BOROUGH OF QUEENS
115-01 LEFFERTS BOULEVARD
SOUTH OZONE PARK, N.Y. 11420
TEL: (718) 843-4488
FAX: (718) 738-1184
E-MAIL: qn10@cb.nyc.gov



KARYN PETERSEN
District Manager

REGULAR BOARD MEETING AND PUBLIC HEARING MINUTES

December 3, 2020

BOARD MEMBERS PRESENT:

B. Braton, L. Amorim, A. Antonino, J. Ariola, P. Baumann, N. Bissoon, J. Calcagnile, J. Caruso, R. Ciulla-Frisone, A. Cosentino, F. Dardani, A. Dhanpat, I. Dimoh, J. Fazio, E. Fraylon, A. Gellineau, P. Granickas, R. Hitlall, A. Maharaj, C. Malizia, R. Martinez, D. Mitchell, F. Mohamed, B. Ramsundar, G. Russo, N. Santiago, A. Siewnarine, J. Stahl, I. VanPutten, M. Vecchio, L. Walker

BOARD MEMBERS NOT PRESENT:

M. Q. Amin, M. Cherenfant, R. Gendron, E. Holland, P. Kishun, P. Lynch, C. Mocombe, N. Nigro, S. Pace, J. Quijano, R. Rathour, M. Salim, J. Singh, D. Sookram-Singh

COMMUNITY BOARD 10 STAFF PRESENT: K. Petersen, D.M.; M. May

OTHERS PRESENT:

Hon. D. Richards; Hon. K. Anderson; AM-Elect J. Rajkumar; C. Moore, Rep. Hon. J. Addabbo; K. Mooney, Rep. Hon. A. Adams; J. Mongeluzo, NYC Comptroller's Office; I. Poy, QBPO; J. Ottomanelli, DSNY; S. Everett, DCP; J. Resor, DCP; R. Day, RWNYC / JFK Redevelopment; M. Walker, CAO-PANYNJ;

The Chairperson began the meeting at 6:45pm conducted remotely via Zoom.

The Chairperson acknowledged and welcomed newly elected Assembly Member Khaleel Anderson and invited him to speak. AM Anderson thanked the Chairperson and said he was happy to e-meet all present and also acknowledged and thanked his future colleague Assembly Member-Elect Rajkumar for being present. He reported he is newly installed as of November 12, and is in the process of hiring, getting his office set up, and prospective staff trained so they can handle all constituent concerns and questions. They anticipate retaining both of the district office locations previously held by former AM Titus as well as the phone numbers. Two people will be rotating / assigned / to this board who will take notes and bring back anything that might occur here. It was noted, he takes the boards very seriously and that he was a board member of CB14 before being elected to the Assembly. Community boards are the most important form of local government that we have and our members across the boards in the city definitely deserve to be heard, and plans to make sure that's possible through communication of our offices and staying on top of the issues that matter most. The 31 Assembly District covers South Ozone Park, South Richmond Hill, Rosedale, Brookville, Springfield Gardens, and the eastern half of the Rockaway Peninsula up to Rockaway Beach. He indicated he shares the board with AM Pheffer-Amato and incoming AM-Elect Rajkumar and looks forward to working with them and to make sure the needs of this board are met. He is really excited to serve this board and looks forward to working with everyone. He said, you will see some very interesting things coming from my office and he is super passionate about community planning & city planning, which is what his degree from Queens College is in. Very soon his office is planning to roll out an Urban Planning Internship Program to teach college students the importance of urban planning and how they can be a voice through our community boards. He thanked the Chairperson. The Chairperson thanked AM Anderson and said it was great to have him.

At this point, the Chairperson acknowledged and welcomed Queens Borough President Donovan Richards.

BP Richards expressed his thanks to everyone and said he looks forward to the work ahead. CB10 has always been an outstanding board of folks who believe in Queens and who work to make sure the quality of life is better for your community. Moving ahead, I look forward to the partnership between us and the DM, Chair, and board members. He referenced the two agenda items, ZCFR and OHB Rezoning, saying he looks forward to the discussions that will follow these two land use issues as we look at 2050 flood projections and strive to keep our communities safe in the face of climate change. Queens has a bright future, even through these difficult and complicated times, and I think 2021 is going to be a year where we start to turn the corner. He acknowledged QBP Sharon Lee and the work that she's done and looks forward to building on that foundation in strengthening our community boards. BP Richards thanked Chairperson Braton. The Chairperson thanked the Borough President for stopping in and said we look forward to working with you and we know you're going to do great things for the borough of Queens and we are happy to work with you to get there. BP Richards said, it's always good to see you.

The Chairperson acknowledged another newcomer, Assembly Member-Elect Jenifer Rajkumar and invited her to speak.

The AM-Elect thanked Chairperson Braton and acknowledged AM Anderson and QBP Richards and thanked the community for their support stating she looks forward to serving the community. She announced she will be sworn in January 1st and will be retaining AM Miller's office on Woodhaven Blvd. She spoke about some of the things she has been doing in the community, which included: food distribution, getting doctors on the phone for people who are suffering in their homes with the virus or any other illness, and their efforts to serve the needs of a diverse constituency by offering those services in Bengali, Hindi, Punjabi, Spanish, Albanian, Polish. She thanked the board members for their work. She said she is looking forward to partnering to rebuild our community wrecked by this pandemic and to help small businesses. She spoke about her background indicating she was a civil rights attorney and worked for the State of New York directing immigration for the State, and served as a lawyer also for the State, and a CUNY professor sculpting the young minds of the future. She stated, I hope all of these experiences will help me serve the district, my door is open and I would love to hear from you about any ideas you have so please feel free to reach out to me anytime. Thank you so much for having me tonight. The Chairperson thanked AM-Elect Rajkumar for joining us and said we look forward to you officially becoming an Assembly Member on January 1st.

The Chairperson asked if there were any other elected officials who have come in, hearing none.

Ms. Mooney noted she wanted to speak and the Chairperson informed her that representatives would have an opportunity to speak later on, but thanked Ms. Mooney for the written material she had sent this afternoon.

At this point the Chairperson took board member attendance by roll call to make sure there was a quorum for the ULURP, and noted she would review the list once again later on to catch anyone who may join the Zoom later.

The Chairperson then opened the public hearing for the evening and introduced Ms. Joy Resor, Borough Planner, NYC Dept. of City Planning, Queens Borough Office and Stephen Everett, NYC Dept. of City Planning, South Queens Team Leader & Borough Certification Manager to present on ULURP No. N210095 ZRY Citywide Zoning for Coastal Flood Resiliency Text Amendment and also ULURP No. 2100133 ZMQ Resilient Neighborhoods – Old Howard Beach Rezoning.

Ms. Resor thanked the Chairperson and indicated as the full presentation had been given last month, the presentation this time would be shorter. Ms. Resor explained she would be presenting on two ULURP land use actions: Zoning for Coastal Flood Resiliency, which is the citywide zoning text which will affect all 59 community districts in the City, and also the Old Howard Beach Rezoning which is more local and was certified alongside the ZCFR.

Ms. Resor shared her screen with viewers providing a power point to accompany her detailed presentation explaining the background, purpose and goals of the ZCFR proposals. ZCFR seeks to update and make permanent those zoning regulations that were adopted on a temporary, emergency basis after Hurricane Sandy to facilitate flood-resilient construction within New York City's flood hazard areas. The proposal's four main goals are: encourage resiliency in the current and future floodplain; support long-term resilient design of all building types; allow for adaptation over time through incremental retrofits; facilitate future recovery by reducing regulatory obstacles. In addition, it would

establish a framework of special provisions that could be applied throughout the City to facilitate the recovery from future disasters, including those not involving flooding, such as the present situation with COVID-19.

Ms. Resor stated, the Citywide Text Amendment is being referred to all Community Boards, Borough Presidents, and City Council in the Land Use Review Process. All community boards are being asked to submit their recommendations for the ZCFR to the City Planning Commission by December 28th; and this Board is also being asked to provide recommendations on the Resilient Neighborhoods - Old Howard Beach Rezoning by that same date, at which point both of the land use proposals will be sent to the Borough President's Office for review. Ms. Resor indicated this was the end of her presentation and would be happy to take any questions.

The Chairperson asked if there is anyone from the public who wished to make a comment or ask a question on ZCFR, hearing none.

The Chairperson asked if there was anyone on the video who would like to make a comment or ask a question, seeing none.

At this point the Chairperson closed the ZCFR public hearing.

The Chairperson asked if there were any board members with questions in regard to the ZCFR, hearing none.

At this point the Chairperson opened the second part of the public hearing regarding ULURP No. 2100133 ZMQ Resilient Neighborhoods – Old Howard Beach Rezoning.

Ms. Resor shared her screen with viewers providing a power point to accompany her presentation. The Old Howard Beach community, which is surrounded by water on three sides making it susceptible to storm surges and flooding, was deeply impacted by Hurricane Sandy in 2012. The City has done a lot of work since then to insure that coastal communities are better protected against flooding. As part of the Resilient Neighborhoods Initiative, the DCP worked directly with coastal communities to identify zoning and land use changes to support neighborhood vitality and help residents and businesses withstand and recover quickly from future storms and flooding. In 2017 Old Howard Beach, Hamilton Beach, and Broad Channel Resilient Neighborhoods Study built on that work providing zoning recommendations specific to unique neighborhood conditions and risks.

The neighborhood's zoning has remained unchanged since 1961 and does not consider current and future flood risk. The proposed rezoning affects 48 blocks and 1,037 buildings in the area. It would change the current R3-1 and R3-2 districts into an R3-X district, limiting future new development to detached homes, which will allow for more resilient building standards under ZCFR as detached homes are easier to retrofit and elevate than attached and semi-detached homes. The R3-X would better reflect the typology of the existing housing stock, which consists predominately of single and two family detached homes. Huron Street to the north would have a unique zoning treatment due to the semi-detached nature of the homes. The current R3-2 district would be rezoned to an R3-1 district which is the lowest density district that allows for semi-detached one and two family residences. The proposed zoning would insure that existing semi-detached housing characteristic of the street remains in compliance while not permitting future construction of small multi-family apartment buildings.

It was noted, the largest difference between the existing R3-2 and proposed R3-1 zoning district is that attached homes, which are typically small multi-family apartments would no longer be permitted, though semi-attached homes characteristic of the block would remain in compliance. In both instances, this would only effect future development. OHB is particularly vulnerable to storm surges and flooding due to its position along the Queens coastline. The proposed contextual downzoning would work in tandem with the ZCFR text amendment to bolster resiliency efforts of future development to housing types that are easy to retrofit and built to resilient standards as well as retain the existing neighborhood character.

Ms. Resor indicated this concludes her presentation and is happy to answer any questions.

The Chairperson thanked Ms. Resor and asked if there was anyone on the phone line from the public who has a question or a comment in regard to the Old Howard Beach Rezoning, hearing none.

The Chairperson asked if there was anyone from the public from the video segment who has a comment or a question in regard to the OHB rezoning, hearing none.

For the record, the Chairperson stated, we did send out a letter to over 1,000 + residents, we have answered the questions from anyone who contacted the office in regard to that, we have received no negative feedback whatsoever. All of the questions asked were answered, and people's overall response was favorable.

At this point the Chairperson closed the public hearing.

The Chair asked if there are any board members with questions or comments in regard to OHB Rezoning, and there were none.

The Board Chair addressed Mr. Calcagnile, the Land Use Committee Chair, and asked if he would like to make the recommendation now.

The Land Use Committee Chair indicated he had a question for Ms. Resor, regarding the timeline and when they would have the new R3-X zoning in Old Howard Beach.

Ms. Resor stated that after December 28th this will go to the QBPO, at which point they'll issue their recommendations (they have a 30 day window) and then it goes to CPC to vote on, then it will go to City Council; so I think by early 2021 everything will be approved. Mr. Stephen Everett reiterated the timeline and clarified that the community boards have 60 days, the BP has 30 days, the CPC has 60 days, and typically the City Council has 50 days. The Board Chair indicated Irving Poy, QBPO, was also in attendance, and asked him if this was going to be on the January Borough Board Agenda, and he acknowledged that it would be. Mr. Poy noted this would give all the community boards an opportunity to get their presentations in and have acted on it; and then it would go to the BP's hearing. The Chairperson thanked Mr. Poy.

The Land Use Committee Chairperson made the recommendation to approve both ULURPs with the following conditions/modifications:

ULURP No. N210095 ZRY Citywide Zoning for Coastal Flood Resiliency Text Amendment:

- FAR bonuses to one and two family new and altered residential developments in residential zoning districts located in flood hazard zones due to cellars not being allowed to be constructed
- Specify that all required parking for residential developments be located at the on-grade first floor level when the property fronts on a street that is of sub-standard width and does not provide curbside parking on both sides of the street

ULURP No. 2100133 ZMQ Resilient Neighborhoods – Old Howard Beach Rezoning:

- That no future development of community facilities with sleeping accommodations be permitted
- That all other restrictions listed in the "Special Coastal Risk District Plan" last amended on 9/2017 and added to the Zoning Resolution be applied for future ambulatory diagnostic or treatment health care facilities developments. It should include similar floor area limits, and maximum floor area ratios for zoning lots containing residential and community facility uses in the district.

The motion was made by Mr. Fazio and seconded by Mr. Caruso.

The Board Chair restated the motion on the floor from the committee and indicated a roll call vote would be done.

The Land Use Committee Chair will write it up and will have it ready to send in by the 28th.

The Board Chair explained the vote would be "yes" or "no" on both of the ULURP items.

She stated, for the record, I am disclosing that I reside in the area that is impacted. I have contacted the Conflicts of Interest Board for an opinion, and was informed neither I nor the other board members who reside in the area impacted by the OHB rezoning are required to abstain as the area to be rezoned. The text of the advice received by me in writing from the COIB is "based on your representations, because the proposed rezoning covers such a large area—1,086 properties across 50 blocks—it will not violate Chapter 68 for you to chair the meeting at which the community board will vote on the rezoning, and it will not violate Chapter 68 for you (and other similarly situated

members) to vote on the matter because there is no “personal and direct economic gain” that would flow to you “as an anticipated result of the matter’s ultimate approval or rejection.” See Board Rules Section 1-15(a).”

P. Granickas and R. Ciulla-Frisone are present and are also disclosing that they reside in the area to be rezoned. They too are permitted to vote on the matter.

The roll call vote was taken as follows:

Yes 31

B. Braton, L. Amorim, A. Antonino, J. Ariola, P. Baumann, N. Bissoon, J. Calcagnile, J. Caruso, R. Ciulla-Frisone, A. Cosentino, F. Dardani, A. Dhanpat, I. Dimoh; J. Fazio, E. Fraylon, A. Gellineau, P. Granickas, R. Hitlall, A. Maharaj, C. Malizia, R. Martinez, D. Mitchell, F. Mohamed, B. Ramsundar, G. Russo, N. Santiago, A. Siewnarine, J. Stahl, I. VanPutten, M. Vecchio, L. Walker

No 0 Abstain 0 The motion passed unanimously.

The Board Chair tallied the votes and indicated the motion passes and thanked everyone, and the Land Use Committee Chair also thanked everyone.

At this point the Chairperson continued with the regular order of business and asked if there were any additions or corrections to the November 2020 minutes, hearing none.

CORRESPONDENCE: The Chairperson reviewed correspondence for the month of November 2020, which included:

- DEP lead agency declaration and notice of intent to conduct environmental review: 150 Street Spine Trunk Sewer and Outfall at Bergen Basin – this relates to what’s going on in Board 12, however, the Bergen Basin treatment plant is in Board 10
- OMB notices regarding: Wastewater Treatment Job Contracts; MTA
- Letter from NYPD Commissioner Shea & a letter from the Police Commissioner’s Office thanking the Board for its letter to the Police Commissioner in regard to the actions of P.O. Jason Maharaj who effected an arrest at a convenience store shooting while off-duty. The letter of commendation will go into the file at the Police Dept.
- NYS DOT Region II advisories
- DOHMH notice regarding increase in number of COVID-19 cases in NYC
- NYC EEPD notification of audit of Queens Community Boards
- DCP notice of filing of land use application (not yet certified): 103-16 Van Wyck Expwy. Rezoning
- DFTA Annual Plan Summary
- DDC notice of Construction of Right of Way Green Infrastructure in Jamaica Bay CSO Tributary Areas
- DEP Green Infrastructure Grant Program
- JEK Communications notification of Spectrum cable work: 109 Avenue & Van Wyck Expwy. SR
- Notification of construction: 109-52 123 Street, SOP 11420
- Notification of alteration & extension of one family house: 130-06 111 Avenue, SOP 11420

The Chairperson encouraged board members to read the extensive material in their folders, and said to let her know if there is anything on the directed mail they would like to have a copy of.

TREASURER’S REPORT – the Treasurer read the report of expenditures for the month November 2020.

BOROUGH PRESIDENT’S LIAISON REPORT – I. Poy – wished everyone safe, healthy, happy holidays.

DEPARTMENT OF CITY PLANNING REPORT – J. Resor – said now that the board has voted on their recommendations please be sure to upload those through the on-line portal; and we ask that you hold off on submitting those till December 28.

DISTRICT MANAGER’S REPORT – The District Manager reported information was received from the NYPD Transportation Bureau regarding e-bikes advising: Individuals who are 16 or older can now ride an e-bike in NYC. E-bikes and e-scooters (not mopeds) are allowed in bike lanes; they may also ride on any street with a speed limit no greater than 30 mph. Helmets are strongly recommended for everyone. If you are under 18 or your bike can go more than 20 mph, a helmet *is* required by law. Helmets are also required for delivery cyclists.

We have been informed that Resorts World has donated \$10,000 to Toys for Tots along with toys donated from employees, and have also donated toys to the Boys and Girls Club for the holiday season.

The District Manager wished everyone a happy and healthy holiday.

CHAIRPERSON'S REPORT – The Chairperson reported information was received from NY State Liquor Authority in regard to what licensed premises have to do, noting that restaurants and bars must comply with the 10pm closing. Today information was also received from DSNY on what restaurants have to do in regard to outdoor seating with regard to snow, and it was indicated it will be sent out to board members. Dept. of Sanitation, Mr. Ottomanelli stated, with regard to outdoor dining, any time there is a snow alert issued the restaurants have to bring in the outdoor dining materials they have and suspend all operations during that time. He also noted you may have seen some sanitation workers out on Sunday, working with the equipment in Preparation Snow. The Chair thanked Mr. Ottomanelli.

The Chairperson wished all of the board members, residents and business people in CB10 a very happy holiday season; all of us are looking forward to a better 2021. Please be safe.

The meeting continued with **COMMITTEE REPORTS** as follows:

AQUEDUCT – the Committee Chair indicated report was contained in board folders.

The Board Chair stated that even though the casino has been closed much of this year, they still have been keeping up with their financial obligations to get involved with charitable activities. As the DM mentioned in her report, they have gone out of their way to ensure they're going to be able to get toys to the Boys & Girls Club, which serves the youth of CB9 & CB10. It was noted the children they're servicing right now are the children of essential workers that are there because of the need for child care. The casino will be ensuring that toys do get to that group as well as the Toys for Tots program.

BUDGET – the Board Chair noted that communication was received on the November Plan and no cuts were received in the November Plan.

CONSUMER AFFAIRS – the Committee Chair indicated report was in contained board folders.

EDUCATION – the Committee Chair reported NYC elementary schools will reopen this Monday, December 7th and middle schools and high schools are closed until further notice. All students need to have a COVID consent form to be tested weekly. She wished everyone happy holidays.

GATEWAY – the Committee Chair reported there is going to be a Jamaica Bay Task Force Meeting soon, which he will try to attend and wished everyone a happy holiday.

JFK International – the Committee Chair reminded everyone there is a quarantine period for anyone traveling into New York and extended best wishes for the holidays and new year. The Board Chair indicated there is now a COVID testing station at JFK Airport outside of the Jet Blue Terminal that is not limited to just airline passengers.

LAND USE – the Committee Chair indicated there are no other land use actions to report and wished everyone happy holidays and a better 2021.

PARKS & RECREATION – the Committee Chair indicated he didn't have a report and wished everyone safe holidays and happy new year.

PERSONNEL – the Committee Chair wished everyone a happy holiday.

PUBLIC SAFETY – the Committee Chairperson indicated report was contained in board folders. He raised some concerns about the e-bikes.

TRANSPORTATION – the Committee Chairperson commented on the concerns previously expressed by the Public Safety Chair regarding e-bikes, and suggested inviting the NYC DOT Safety Education Dept. to speak at a board meeting Board. She wished everyone happy holidays and a happy and healthy new year.

OLD BUSINESS – None

NEW BUSINESS – None

A question was raised by a board member in regard to the length of the contract between the casino and the State of New York as it relates to the share of money, which is to be given to the State. The Board Chair indicated she would have to look at the paperwork, but they do have a long-term lease. The Board Chair made reference to the Aqueduct Committee Report included in the board folders which gives a great deal of details. It was noted, that roughly 40% of the VLT money that is made in this State emanates from Resorts World.

PUBLIC FORUM – the Chairperson read the written report/comments submitted per e-mail by Mr. Walker, Outreach Specialist, Council for Airport Opportunity.

The Chairperson indicated an e-mail request to speak during the public forum had been received by Mr. Andres Bolivar and she asked if he was on the line, but he was not.

The Chairperson asked if there was anyone else from the public who wishes to speak, and hearing no one.

At this point the Chairperson asked if any representatives of the elected officials wished to speak.

Ms. Mooney, representing Council Member Adams, thanked the Chairperson for the sharing the information she had sent to the office. She stated the Council Member is totally committed to battling the pandemic and is working to promote the vaccine in our district to be among those who receive it first. We are asking again that everyone take every possible measure to stay safe and do what he or she can to halt the pandemic as numbers rise. Happy holidays to everyone. There are a few rapid testing sites in the district, and any CBOs or religious institutions that are interested in becoming testing sites should contact the office for an application and to discuss what's needed.

Mr. Moore, representing Senator Addabbo, wished everyone happy holidays.

Mr. Mongeluzo, NYC Comptroller's Office, reported they are trying to gather data on how people are balancing work, life and family during the pandemic. They need more data as they are under-represented in terms of responses from Queens and encouraged everyone to take the "Work and Family Survey" which only takes 8 to 12 minutes to complete (info and link in the Chat box). He asked leaders of civic groups to share this with their membership and get the word out so they can gather more data and have a better idea of what people are facing and what policy plans they can propose to make things easier for people. He highlighted the following and provided corresponding info/links in the Chat box: FY2021 First Quarter Revenue Update and Budget Outlook; Annual Making the Grade Report Reveals 80% of M/WBE City Agency Grades Declined or Remained Stagnant; court action to force the City to comply with investigation into preparedness for the response to the COVID-19 pandemic; Op-Ed: Restart Sustainable Infrastructure Investments to Stimulate Economy and Combat Climate Change. He extended wishes for happy holidays and a happy new year.

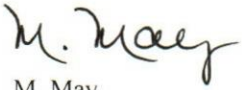
The Chairperson asked if there were any other elected officials' representatives or agency representatives who would like to speak, hearing none.

The Chairperson asked if there was anyone from the public who wished to speak, hearing none. She said, as we have done since we started the virtual meetings, because of the difficulties that the public has in participating in the board meeting public forum, the record of this meeting will remain open until the close of business tomorrow so that anyone from the public who wishes to make a comment or ask a question may do so by contacting the office either by phone or e-mail.

The Chairperson wished a happy holiday and happy new year to everyone.

The Chairperson adjourned the meeting at 8:17pm.

Respectfully submitted by,

A handwritten signature in cursive script, appearing to read "M. May".

M. May

Draft – Subject to Approval