



The City of New York

Queens Community Board 11

Serving the Communities of Auburndale, Bayside, Douglaston, Hollis Hills
Little Neck and Oakland Gardens

Michael Budabin, **Chair** / Joseph Marziliano, **District Manager**

TO: All Board Members
FROM: Albert Galatan, Government Affairs and Legal Committee Chair
DATE: February 2, 2022

On January 22, 2022, the Government Affairs and Legal Committee held a Zoom teleconference meeting to discuss Bill S7574, S4547 and A4854.

Present

Michael Budabin, Board Chair
Albert Galatan, Committee Chair
Henry Euler, 3rd Vice Chair
Fleur Martino
Paul DiBenedetto
Sam Wong
Christina Scherer
Akshar Patel
Jena Lanzetta
Allan Palzer

CB11 Staff

Joseph Marziliano, District Manager
Christina Coutinho, Community Associate

Other

Paul Graziano – Urban Planner
Sophie Krichevsky – Queens Chronicle

Mr. Galatan opened the meeting by stating that Mr. Euler brought Bill S7574 to the attention of the Board. Mr. Galatan said that this meeting is to discuss the revised Bill S4547 and new Bill S7574.

The first portion of Bill S7574 relates to New York City (one million or more residents) amending the general city law that prohibits NYC from establishing a lot size greater than 1200 sq ft; there are other items in the Bill but the amendment is of the greatest concern. Bill S4547 has been revised and four more State Senators have joined in support.

Bill S4547 works with local government to create local accessory dwelling units (ADU) laws. As of January 5, 2022, this Bill has been sitting in judiciary. The revised bill has a summary and justification. Mr. Galatan presented the summary with his concerns highlighted (please see 46-21 Little Neck Parkway, Little Neck, NY 11362 Tel. 718-225-1054 Fax 718-225-4514

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attached). Mr. Galatan read from the summary: giving localities the power to set reasonable standards for ADUs, including landscaping, architectural review and height, ADUs do not require onsite parking, ADUs cannot impose a minimum sq. ft. requirement greater than 200 sq. ft., maximums less than 1,500 sq. ft. or other rules respecting size and setbacks; units cannot be rented for 30 or less days to avoid Airbnbs. Mr. Galatan reviewed the justification portion of the Bill. He stated that this is abnormal to have in a Bill and he was uncomfortable with it. He said there is a 60-day filing and permit process.

Ms. Martino asked how would construction and permits be monitored? Mr. Marziliano mentioned HPD might oversee. Ms. Martino asked for some guidance in this process.

Mr. Graziano said that certain State Senators and Assembly Members are looking to get rid of single-family dwelling zoning by imposing ADUs, the NYS Governor has put this in the official platform and has also been included in the State's budget. He stated that this is an unenforceable law, there will be no building enforcement. The Governor also added an additional piece that current illegal ADUs will be given amnesty. Mr. Graziano said there is a reason why there are building codes; building codes are so people live safely. He stated that the sponsor of the Bill says that ADUs will help the homeless condition in NYC. Mr. Graziano said creating ADUs do not help the homeless condition in the City; ADUs will create new housing at luxury prices, not affordable housing (he used the State of California as an example).

Mr. Euler said to his understanding, this Bill supersedes Home Rule and there can be more than one ADU on a property. Mr. Graziano agreed and stated that the S7475 is calling for four ADUs per property. The Governor is stating that every property is required to have a minimum of one ADU; this is a very vague statement that is troubling; with this wording there is no stopping the building of ADUs. He said that this being forced by the State is troubling. Each community should have a say. He said that Nassau County is voting on this legislation this week.

Mr. Graziano gave a presentation that he prepared to explain Governor Hochul's proposed legislation - Transit-oriented development (please see attached). Transit-oriented development (TOD) creates dense, walkable, and mixed-use spaces near rail transit stops that support vibrant, sustainable, and equitable communities. He said this proposed legislation is part of the Governor's housing strategy plan to increase the floor area ratio (FAR) NYC, and remove the FAR cap.

Mr. Graziano read from his attached presentation. He said back in the 2000's several areas were rezoned to provide for single-family zoning. He said that Council District 19 has the highest single-family zoning in the City. There are six rail stations in the district and the areas are already substantially dense. He said that Douglaston, Little Neck and Bayside would be highly impacted.

Mr. Marziliano stated that the Governor should look to increase housing affordability and answer the question on how to manage more development in and around train rails without having to build a structure jamming high density. There will be no enforcement making this very unsafe for residents living in the ADUs. The City just experienced deaths due to illegal residence during Storm Ida. Local government should make the decision.

Mr. Graziano said that if the ADU bill is not stopped there will be no single-family homes. If the TOD bill is passed several deed restricted areas will be forced to go to court to stop development.

Mr. Marziliano suggested the Board prepare a resolution on this matter.

Mr. DiBenedetto said NYC is zoned 15% single-family. He said these bills are a nationwide trend to correct the housing problem, it does not apply to NYC. He said why would NYC have to do this when only 15% is single-family zoning. This would remove all suburban areas in New York City.

Mr. Graziano requested that it stated in the resolution “this is not against affordable housing”.

Mr. Euler made a motion to prepare a resolution to oppose the ADU Bill S4547 in the State Senate, Bill A4854 in the Assembly and Bill S7574 in the State Senate; approve TOD if the regulations are determined by local government rule. Mr. Graziano said to include the Governor’s State of the State address regarding ADU and TOD. The motion was seconded by Ms. Martino. Mr. Budabin said that he feels comments should be made on the legislation, to the points of the bill, not the Governor. Mr. Marziliano asked Mr. Graziano if the Governor put monies in the budget to support ADUs. Mr. Graziano said she did put monies in her budget for ADUs. Mr. Euler and Ms. Martino accepted the amendment. Mr. Marziliano said that affordable housing will be mentioned in the resolution. A committee vote was taken resulting in nine in favor and one abstention (Akshar Patel is a staff member of the office of State Sen. Liu).

The meeting adjourned.