



Community Board 7

Borough of Queens

Bay Terrace, College Point, Beechhurst, Flushing
Malba, Queensborough Hill, Whitestone and Willets Point

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Donovan Richards
Queens Borough President

Eugene T. Kelty Jr.
Chairperson

Marilyn McAndrews
District Manager

COMMUNITY BOARD #7 PUBLIC HEARING & REGULAR MEETING
MONDAY, DECEMBER 7, 2020
AUDIO AND VIDEO TELECONFERENCE

PRESENT

Charles Apelian
James Cervino
Kaily Cheng
Michael Cheng
Chin-Hsiang Chiang
John Choe
Kim Cody
Nicholas Corrado
Arlene Fleishman
Richard Forman
Fred Fu
Doreen Gatanas
Vincent Gianelli
Pablo Hernandez
Lawrence Hughes
Eugene Kelty

Phil Konigsberg
Esther Lee
Wensong Li
Wendy Louie
Frank Macchio
Betsy Mak
Rev. R. McEachern
Barbara McHugh
Michelle Miao
Selma Moses
Sergio Nicolich
Kim Ohanian
Millicent O'Meally
John Park
Yacov Pshtissky
Kris Ram

Paul Rifino
Belal Salim
Warren Schreiber
Kevin Shields
Matthew Silverstein
Joshua Sussman
Joseph Sweeney
John Tsavalos
Clarissa Wong
Maggie Wong
Dian Yu
Linna Yu
Lei Zhao
Jie Zhu

ABSENT

*Jeff Huang
Terence Park

Peter Tu
Harpreet Singh Wahan

COMMUNITY BOARD #7 STAFF

Marilyn McAndrews, District Manager
Mary O'Neill, Community Associate
Anne Krzyzanowski, Community Aide

GUESTS

Susan Liu-Congresswoman Grace Meng's office
Cindy Rogers-Congressman Tom Suozzi's Office
Soojin Choi- State Senator John Liu's office
Amber Yoon-Assemblyman Edward Braunstein's office
Destiny Batista-Assemblyman Daniel Rosenthal's office

Vito Tautonico-Councilman Paul Vallone's Office
Joonyong Ahn-Councilman Peter Koo's Office
James Mongeluzo-NYC Comptroller's office
Vanessa Ordenez-Queens Borough President's office

*Excused

Chair Gene Kelty opened the meeting at 7 pm via audio and teleconference. He thanked all Board members in attendance this evening. All stood in their homes to Pledge Allegiance to the Flag in honor of our service members who fight for our freedom, especially those who have perished and those with lifelong disabilities. Let us honor them every day we live in freedom because of their sacrifice. We had a moment of silence in memory of today's anniversary of Pearl Harbor Day.

The Chair took attendance with **(46) Present (1) Excused * (3) Absent**

Elected Officials and/or staff present:

Sandra Ung for Congresswoman Grace Meng – If anyone has issues or questions, we can be reached by telephone or e-mail during business hours.

Cindy Rogers for Congressman Tom Suozzi – Justin Connor usually attends these meetings. If we can be of any help, we can be reached at the office during business hours either by telephone or e-mail.

Soojin Choi-Lee for Senator John Liu – Will hold The Red Cross “Prepared Response Recover” virtual presentation tomorrow December 8th at 5:30 pm. If interested you must register so please call our office at 718-765-6675 for the link.

Amber Yoon for Assemblyman Edward Braunstein – Co-sponsoring with Senator Liu on the ‘Red Cross Prepared Response Recover’ virtual presentation. For more information, please call us at 718/357-8888.

From Assemblyman Daniel Rosenthal office – Keep an eye on social media for news or call our office 718-969-9326. We are co-sponsoring the tree lighting at McNeil Park in College Point on Saturday, December 12th with Senator John Liu.

Joonyong Ahn for Councilman Peter Koo - No updates currently.

Vito Tautonico for Councilman Paul Vallone - We are open every day with staff from 9am to 4:30 pm, 718-619-8611 to help you with any issue you might have.

James Mongeluzo from the NYC Comptroller’s office spoke about the Working Family’s Survey, which they are conducting to see how families are coping during the pandemic, but we need more responses. Also their newsletter is doing very well, and is up to the 24th edition. The City has collected over \$834 million more in taxes than expected in the first quarter. An audit of DOB Safety on violations showed a 56% increase in hazardous standards which must be corrected, and the annual audit on how well the City is meeting the goal of issuing contracts to women, Hispanics or Asian, will be compared to last year. Lastly, a review on how well the City is responding to the pandemic, what we’ve learned, where to improve, so we can be prepared for any future incident.

Announcements from the Chair

- **Holiday Troubador** Performance at Poppenhusen Institute, 114-04 14th Rd, College Point on Dec. 12 at 1 pm. Tickets are \$5.00. Special guest is Santa Claus. Remember wear masks.
- **Homeowners & Benefits** information to be held on December 9th at 4 pm at Daniel Rosenthal’s office. Call his office or ours tomorrow to register for the link information.
- **Jessica Schabowski** from the Mayor’s office, gave the following highlights:-
 1. Phase 1 of the NYC LMI Storefront Loan is closing on December 13, 2020. Phase 1 initiated in 2018 included businesses in 11354 and 11355 with 2 to 99 employees to apply for zero interest loans up to \$100,000. For information, contact nyc.gov/storefront load.
 2. Adults over 65 years, especially those already with compromised health, are advised to limit their outdoor activities because of the second wave of Covid-19.

3. The Mayor is working with the Governor on the vaccine distribution plan for the City of New York. Widespread availability is not expected until mid-2021.

Comment by Chair Kelty – Please tell the Mayor a lot of businesses are doing their best and following the rules of spacing, limiting the proper amount of customers, etc., and shouldn't be closed. We don't mind him closing down those businesses who flagrantly violate all the rules.

Ms.Schabowski agreed, but said the Governor may be closing indoor dining soon, so we have to abide by that.

- **MTA Fare Hikes** – Virtual fare and toll proposal hearings will be held on 12/8 at 10 am, 12/9 and 12/14 at 5:30 pm, and 12/21 at 10 am. The MTA Board is soliciting compelling comments from all those interested. You can call our office tomorrow for registration details and the link.
- The **MTA** has an opening for a Director of Internal Communications in lower Manhattan with a salary of \$124,500. The position is the development of internal communication strategies that's in the best interest of their employees. If anyone is interested, call our office for more details.
Also, **MTA** is asking for volunteers to distribute free masks on 12/10 to customers in the transit system. Call our office.
- NYCHH, Queens is testing for COVID-19 at the following sites: The NYCHA Latimer Gardens, Parking Lot #3, and the other at, NYCHA Pomonok Houses betwn. Bldg. 13 & 14. For more locations, call 212/COVID19. Call our office for dates.

Speaker Donovan Richards, our newly elected Queens Borough President was able to get through new security measures to speak and hopefully soon will see us in person. He acknowledged the unique problems this year with COVID-19, the racial tensions and hate crimes in our borough and communities, and looks forward to working together as a team. In governing, he believes in leading from the front. In talking to the Governor of NYS, he asked that Queens be given the vaccine first since it was the hardest hit with the pandemic. He thanked Vanessa and his staff for being his eyes and ears now and in the future. Last Friday night he was in Flushing for the tree lighting and found it was good to celebrate, even in these troubling times, and see the smiles on the faces of children. He wished everyone is the CB7 community Happy Holidays, Happy Chanukah, Merry Christmas and Happy Kwanzaa. He thanked Gene and the Board, the Flushing Library, the 109th Precinct, and Fred Fu, and looks forward to getting some bubble tea on Main Street again soon. It's one of his favorites.

Chair Kelty welcomed him, although he's not a newcomer, just sliding over from one role to another.

Q. **Nick Corrado** (NC) directed to James Mongeluzo from the NYC Comptroller's office. Please clarify what the 56% referred to and what were the recommendations?

A. It referred to immediate re-inspection of hazardous sites in all the boroughs and the reported recommendations are under the City's web site "News Room".

First Vice Chair Apelian made the motion to approve both the October & November minutes. With no objections made, both minutes were approved.

P U B L I C H E A R I N G

ZONING FOR COASTAL FLOOD RESILIENCY- Committee Chair Charles Apelian – *DCP has worked with communities throughout the City's floodplain to identify additional ways that zoning codes can support post-disaster recovery and better promote long-term resiliency. With Zoning for Coastal Flood Resiliency, DCP seeks to incorporate the lessons that have been gleaned from our outreach to make zoning more supportive of resilient building design. These strategies are intended to provide those homeowners, business owners, and architects who live and work in the City's floodplain.*

Committee Chair Apelian explained this will be the only Public Hearing on this item. There were no prior committee meetings and tonight's hearing and recommendations from the floor must be voted on. The plan is for neighborhoods (homeowners and business owners) in flood zones to become more long term resilient with better designs in the face of disasters.

Speaker Hye-Kyung Yang from the Dept. of City Planning gave the presentation of the City's analysis of our coastal flooding risk. FEMA's risk zone places us as 1% flooding yearly, but Hurricane Sandy showed moderate risk zones could still flood, and with climate change could become high risk. The temporary emergency measures taken then must now be made permanent. **The goal is to mitigate damage from future storms, ensure safety, assist with future disaster recovery and potentially reduce flood insurance costs. We've come up with four goals to move to permanent measures as follows:**

GOAL One - Encourage resilience between current and future floodplains optionally

- a. Encourage resilience throughout current and future floodplains
- b. Ability to raise buildings higher than the current flood zone.
- c. Invest in resiliency incrementally so it's more affordable, without triggering mandates to flood proof a structure.
- d. City needs to be quick in rebuilding homes and other recovery measures.

GOAL Two – Support long-term resilient design of all building types.

- a. Rules would allow owners to elevate habitable spaces above expected flood elevations without having to choose between resilience and space for occupancy.
- b. Ground floor regulations incentivize access to buildings at ground level.
- c. Only if the building meets all conditions of Appendix G.
- d. Special conditions will allow retrofitting without bumping into zoning restrictions.
- e. Discretionary actions, BSA special permits will still be able to address standards for construction

GOAL Three – Allow for adaptation over time through incremental retrofits.

- a. Raising mechanical equipment is one of the first steps. Proposal will allow for placing equipment on the roofs or separate buildings.
- b. Support spaces are often not able to be elevated or dry-proofed.
- c. Flood protection measures would allow for flood panels and landscaped rooms. Spaces used for flood protection don't count against FAR.
- d. Waterfront access would allow for flexibility in grading for shoreline access.

GOAL Four – Facilitate future recovery by reducing regulatory obstacles.

- a. Hurricane Sandy showed that regulatory issues prevented the placement of generators and batteries, etc.
- b. Accessibility: ramps and lifts are considered permitted obstructions.

- c. Nursing homes, long-term care facilities: City believes it makes sense to limit growth of these facilities in high risk areas. Prohibit development of these facilities having 1% chance of flooding the areas each year.
- d. Lengthy process to update zoning regulations hinders ability to respond to disasters. Rules will be made to facilitate the recovery process. Property owners with special permits to allow longer timelines to complete construction. Allow businesses two years to return to operation.

NEXT STEPS as follows:-

1. Text amendment being put forward to all Community Boards.
2. Asked to submit feedback by December 28, 2020.
3. Details available at: nyc.gov/zcfr.

QUESTIONS & ANSWERS

- Q. First Vice Chair Apelian (CA) Would nursing homes be entirely prohibited in high risk zones?
- A. Manuea Powidayko (MP) Yes, but existing buildings could continue to operate.
- Q. (CA) Re Existing buildings, do we have to retrofit? What's the timeline, and does the City help pay?
- A. (MB) No requirements, but optional to include resiliency without any hindrances in the zoning process. If you spend more than 50% of the property value in renovations, and you're in the floodplain, you'll need to comply with the Appendix G conditions.
- Comment by (CA) Obviously any new building would be required to fulfill these conditions.
- Q. Phil Konigsberg (PK) Handicap accessibility, you showed it on slide 20, but I was looking at slide 8 and wondering how that would be handled?
- A. (MP) Single family homes do not have mandatory ADA access requirements under the international building code. We're granting ramps and lifts to be permitted obstructions so that homeowners can install them without zoning issues. We are correcting this citywide when and where denied.
- Q. Warren Schreiber (WS) Are the type of structures we're looking at under ZFCR be required to be ADA compliant, if built new?
- A. (MB) I don't think this applies to single family homes, but to other buildings, yes.
- Q. Belal Salim (BS) I've come across projects where I've done new developments for 1 & 2 families, semi-detached, in a single structure, with handicapped access required. One handicapped project in the Rockaways required the need to raise the first floor 14 feet high, but the existing regulations didn't allow handicapped accessibility from the front yard. If ZCFR goes into effect, what takes precedence, FEMA or the updated zoning?
- A. (MB) We hope the updated regulations give you more flexibility in the future. We are not creating a new flood map. We still refer to FEMA, and to building code uses and where optional zoning regulations apply.
- Q. (BS) This doesn't provide any base flood elevations, that's still from FEMA?
- A. (MB) Yes.
- Q. (BS) And this will just tell you how to design for resiliency in a flood zone if it passes?
- A. (MB) Yes, it will give you the flexibility we have from Sandy. We've even heard from people in communities wanting to incorporate future levels of protection. This framework would be helpful for that. If you wanted to future proof, you'd check into zoning regulation issues now.
- Q. (CA) You mentioned before about permitted obstructions, is this only applicable in flood zones? Or will this be expanded citywide, in terms of power systems?

A. (MB) Yes, we will expand it Citywide.

Q. Dr. James Cervino (JC) Can you elaborate on the vegetative buffer setbacks which holds the integrity of the soil/sand for wave control protection of coastal zones?

A. The proposal mostly regulates the building and not so much the property. The feedback from Hurricane Sandy was the development of waterfront areas with a 40 foot access zone with soft edges counted towards it.

Q. (JC) This is a land use strategy focusing on construction and architectural design. This resiliency plan, however, doesn't address the water quality that would inundate residents with untreated sewage, which is a public health concern. Why therefore isn't upgrading sewage treatment and retention tanks part of your strategy? Why not incorporate this as part of the plan?

A. (MP) We're trying to make sure the planned density is to augment and continue the regulations learned from Sandy.

Comment from Hye-Kyung Yang (HK) - There is a balance between housing and job growth needs and development needs to happen. I hear you on infrastructure needs and stormwater management.

There needs to be some discussion on what can be accomplished. I also believe the City is working on a map and analysis on this issue and will be gathering public comment.

Q. Lei Zhao (LZ) Referring to the Special Flushing Waterfront District, which is new construction, would it be required to fulfill all measures in this proposal? And can we assume they already took these measures and stormwater management into account?

A. (HK) Yes. SFWD incorporated these measures into their design process in consultation with DCP and DEP.

Q. Nick Corrado (NC) Can you elaborate on the 50% spending on renovation and triggering these conditions?

A. If you're a homeowner in an existing flood zone and spend 50% or more on renovations, you'd trigger the requirements and proactively make the changes. It also applies to new construction.

Q. If I spend less than 50%, none of these codes come into play?

A. (MP) Correct.

Comment by (CA) You could do it, but it's not required.

Comment by (NC) I believe there's a map with four zones.

A. (MP) I think you are referring to the evacuation zones. These are well known as evacuation plans for incoming storms

Q. Phil Konigsberg (PK) Looking at the slide, Why isn't Fort Totten in a flood zone?

A. (HY) It is in a flood zone. I can show you a more detailed map with no Public Comment registered, First Vice Chair Apelian made the following motion:

The motion on the floor is to approve with the recommendation Government Agencies provide increased capacity for all Combined Sewage Overflow (CSO) Tanks and Sewage Treatment Plants to prevent discharge of overflow raw sewage into our waterways during storms.

With no further Discussion:

The vote on the motion was (43) FOR (0) AGAINST

P U B L I C P A R T I C I P A T I O N

Speaker Archna Jariwala – COVID-19 and child hunger is a serious problem. 38% of parents reported Reducing meal sizes or skipped meals. Despite City & State efforts we've failed to provide for these children. Request the Board ask Peter Koo to sponsor a bill providing meals during remote learning IN-2057.

Sharon Pope, Bike NY- We launched a new initiative to help individuals make recommendations for their streets and present their ideas to DOT and CB7's transportation committee collaboratively to improve their streets. Please wear a mask, wash hands and socially distance. Happy Holidays.

Mike Lyons, President of Bay Community Volunteer Ambulance Corps serving North Bayside, Fort Totten and Clearview has two certified ambulances responding to major disasters in NYC. When COVID-19 peaked in March they provided mutual aid with FDNY. Since the closing of the Bayside Ambulance Corps in 2018, they extended services to the Bayside community providing wheelchairs, canes, etc., CPR training and teaching children at local schools. We want to provide more services to a nearby CB7 border of a 20 block area without services, and require to file an application to do so. We'd like your support to expand to this area. A formal request will be presented to your Health Committee.

Speaker Pablo Hernandez – Bike lanes are the first white line next to a protected parking lane. The danger is when the parked car opens their door or leaves the parked space suddenly. Either way you're blindsided. Also, remember electric bikes travel very fast and leave very little time to react. The City and CB7 needs to take this into consideration when planning bike lanes.

Speaker Richard Forman – Chancellor's Office is starting a parent university to help students navigate remote learning. Will send you information tomorrow.

Meeting adjourned at 8:55 pm.

Respectfully,
Mary Zuliani