



Chairperson, Martha Taylor

*The City of New York
Borough of Queens*

Community Board 8

197-15 Hillside Avenue
Hollis, NY 11423-2126
Telephone: (718) 264-7895
Fax: (718) 264-7910
Qn08@cb.nyc.gov
www.nyc.gov/queenscb8



District Manager, Marie Adam-Ovide

Zoning Committee Meeting: **Zoning for Coastal Flood Resiliency**

DATE: **December 15, 2020**

PLACE: **via *Zoom***

ATTENDANCE: **Steven Konigsberg, Zoning Committee Chair**
Susan Cleary, Board Member
Solomon Davydov, Board Member
Kevin Forrestal, Board Member
James Gallagher, Jr. Board Member

Others in attendance: **Scott Solomon, NYC Department of City Planning**
Marie Adam-Ovide, CB 8 District Manager
Izabela Szczepanska, CB8 Staff Member

Zoning Chairperson Steven Konigsberg called this meeting to order at 7:30 p.m.

Purpose: Scott Solomon from the Department of City Planning (DCP) will present and discuss a recent zoning amendment on flooding.

Zoning Chairperson Steven Konigsberg welcomed Scott Solomon and asked to begin the presentation.

Scott Solomon, Department of City Planning (DCP) - Mr. Solomon stated that on October 19th, a City sponsored text amendment was referred to all 59 Community Boards and Borough Presidents. This is going to be a distinct 60-day review period for this CB and a subsequent review by the Borough President. Zoning for Coastal Flood Resiliency (ZCFR) proposes updates to the zoning resolutions Article 6 Chapter 4 titled special regulations applied to in flood hazard areas and other related sections. The goal of this project is to address resiliency and recovery needs on a city-wide level. Technically, CB8 is in within portions of the flood claim.

These are some of the main highlights of the presentation:

- Areas at risk of a 1% or 0.2% annual chance of flood are commonly known as the floodplain and are currently designated on FEMA’s Flood Insurance Rate Map (FIRMs) and Preliminary FIRMs (PFIRMs).
- ZCFR would be applicable to all lots located fully or partially within both the current 1% and 0.2% annual chance floodplains.
- DCP developed four core goals to assist the city and its residents:
 - **Goal 1** - Encourage resiliency throughout the current and future floodplains. By expanding the applicability of the optional rules, building owners throughout the floodplain will have the option to proactively incorporate resiliency improvements into their buildings.

- **Goal 2** - Support long-term resilient design of all building types. Zoning rules in the floodplain should facilitate protection from coastal flooding for all buildings, independent of their age, typology or specific location.
 - Building envelope – Optional zoning regulations would allow building owners to physically elevate habitable spaces and other building support features above expected flood elevations.
 - Ground floors – Ground floor regulations would incentivize the floodproofing of ground floors, encourage active uses to be kept at the street level and promote internal building access.
 - Streetscapes – When these allowances are used, buildings would have to comply with “flood-resistant construction standards” and a new set of streetscape requirements.
 - Special conditions – Additional flexibility would be available to special conditions common in older neighborhoods so that those buildings can also become resilient.
 - Discretionary actions – Discretionary options would be available to address unique situations to ensure that all buildings and neighborhoods can be resilient.
- **Goal 3** - Allow for adaptation over time through incremental retrofits. Building owners should be able to incrementally incorporate resiliency improvements into all buildings and waterfront sites, including existing structures that are not able to fully meet Appendix G.
 - Mechanical equipment – Mechanical equipment would have more options to be placed above flood levels either on open areas or on roofs in lieu of basements or cellars (which make them more vulnerable).
 - Support spaces – Key spaces that are often located within basements or cellars, especially those that help support business such as offices.
 - Flood protection measures – Flood protection measures would be installed either when they are required for compliance with flood-resistant construction standards or where alternate flood protection strategies may be warranted.
 - Waterfront sites- Waterfront sites would be able to better accommodate contemporary resiliency measures and address sea level rise.
- **Goal 4** - Facilitate future recovery by reducing regulatory obstacles. Zoning rules should assist vulnerable populations and the recovery process after a future storm or other type of disaster, including the ongoing COVID-19 pandemic.
 - Power systems – More options to locate power systems on lots throughout the city would make it easier for properties to provide back-up energy especially, in the event of a disaster.
 - Accessibility – An accessible design would be better enabled consistently throughout the city.
 - Vulnerable Populations – Siting nursing homes would be limited in high-risk areas to lessen health consequences and logistical challenges of evacuating the residents of these facilities.
 - Disaster Recovery – Rules that could be made available to facilitate recovery process from future disasters.
- Zoning maps were shown on the PowerPoint presentation of the applicability in Queens CB8.

Zoning Chairperson Steven Konigsberg asked if anyone had any questions.

Susan Cleary – It seems to me that the City is trying to protect insurance companies and themselves. All of this is retrofitting at the homeowner’s expense. Is that fair? I don’t think so. Where are the garden apartments south of Mount Hebron? I live south of Mount Hebron in a garden apartment.

Scott Solomon – This is not a proposal to provide subsidies to buildings. This is a zoning flexibility to provide relief to the homeowners. If the homeowners are paying the flood insurance rate. They would be able to get relief because they would be able to raise their property above a point where your flood insurance company would have to charge you less.

Susan Cleary – Really?

Scott Solomon – If you are subject to flood insurance because you have a 30-year mortgage and let’s say it is anecdotal. A common figure is maybe between 6,000 and 10,000 dollars for flood insurance. If you can raise above the flood elevation. You are getting to about a tenth of that maybe even less.

Steve Konigsberg – I think Scott’s point was, unless you are doing a new building, for existing buildings this is just optional and is not required.

Scott Solomon – Exactly. The City is not saying you are in a flood risk you must tear down your property. There are several areas the City was re-zoned. Gerritsen Beach, Howard Beach, Sheepshead Bay where the rezoning is saying you can only do single- or two-family detached homes. Detach homes you can raise easier than a multi-family building.

Susan Cleary – That little yellow dot in your slide (30) there is a big yellow area looks like Flushing and the little yellow dot. Is that Flushing Meadow Corona Park or is that the Garden Apartments you were talking about?

Scott Solomon asked Susan if she can currently see the slide that is being screenshared (slide 30). Susan Cleary pointed out the shaded area she was referring to.

Scott Solomon – That is outside CB8, but yes, that is technically within Flushing Meadows Park.

Susan Cleary – That is because we have a lake there.

Scott Solomon – Exactly. This is not a firm map. A firm map looks much more like a contoured map. That blue line left of the cemetery barely touches the cemetery but because it barely touches it, everything turns gets colored (*directed to slide 30*). It is one tax lot.

Steven Konigsberg – The area south of the cemetery would be Van Wyck to Main Street and 69th Avenue behind Seasons Supermarket.

Scott Solomon – Yes, I don’t know the exact name of the complex there, but these are portioned. If you are on the road you would look at this portion and it looks elevated. I think that is a result of these counter lines just touching the tax lots and therefore the whole area is subject to these optional rules. So, it is sort of a benefit to the lot. We are being conservative with the areas to apply this too, but this area has limited applicability. The contour barely touches the west portion of this lot, but it is such a large lot compared to single family residential property its all-inclusive.

Marie Adam-Ovide – You mentioned something about the special district that we have, and I am a little bit unclear on that. They all have that option is what you are saying?

Scott Solomon – There are certain extra rules. Zoning rules that apply to the Fresh Meadows area and a portion of downtown Jamaica in CB8. They have their own built regulations. This is to clarify that they would still be eligible for these optional zoning relief proposals.

Marie Adam-Ovide – If they were to do that would they have to go to the same process with the ULURP? Any changes that happens with the special district in Fresh Meadows they must go through a whole process.

Scott Solomon – I am going to have to follow up with you. My assumptions are that things like the power or mechanical space are likely things that are allowed without having to go to the ULURP. That is not included in the DZR for additional rules. I will follow up with that. I had a similar question in CB11 because they have a landmark preservation district that is separate from these planed preservation districts. I am going to have to get an answer on that.

Steve Konigsberg – The landmark preservation district areas don’t we have the apartments on Main Street and Union Turnpike and the Grand Central Parkway?

Susan Cleary – Yes, Parkway Village.

Scott Solomon – It is a beautiful apartment complex, but I do not think it technically is a planned preservation district.

Susan Cleary – No water over there.

Steven Konigsberg – No, if it is a city-wide applicability for portions of this change, for example to use part of their open space to have a power source in the event of any kind of Hurricane...(inaudible).

Scott Solomon – Yes, they would be able to put it there. They likely would if it is to their benefit. If they are not exposed or risk is low, they wouldn’t benefit from that.

Steven Konigsberg – Cost benefit analysis of course.

Scott Solomon – Yes, that is what is most important for CB8 because you are in the areas that citywide rules apply.

Steven Konigsberg – There are a lot of garden apartment complexes who can choose to do that.

Steven Konigsberg thanked everyone for coming out and participating. He thanked Scott Solomon for his presentation.

Scott Solomon– For the agency if you have any questions you can reach me at ssolomon@planning.nyc.gov. We are all still working remotely so email is the best way. If a zoom meeting is easier, I can set up some calls this way if it is easier.

Kevin Forrestal – Do we require any action?

Scott Solomon – You are not required to provide recommendation. If you are, DCP is requesting it by December 28th with a caveat before that still going to be a transmittal period and 50-day period of review by City Planning Commission. I think it is going to be very common for districts that are mostly in land to waive those recommendations, but I highly recommend that you do so.

Steven Konigsberg – Okay, thank you all very much.

Adjournment

This meeting adjourned at 8:15 p.m.

Respectfully submitted

Izabela Szczepanska, CB8 Staff

January 19, 2021