

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON ZONING
AND FRANCHISES

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February 3, 2026
Start: 11:09 a.m.
Recess: 1:34 p.m.

HELD AT: 250 Broadway-8th Fl.- Hearing Rm. 1

B E F O R E: Farah N. Louis
Chairperson

COUNCIL MEMBERS:

David M. Carr
Elsie Encarnación
Amanda C. Fariás
Simcha Felder
Yusef Salaam
Justin E. Sanchez
Lynn C. Schulman

A P P E A R A N C E S (CONTINUED)

Richard Bass
Akerman LLP

Frank St. Jacques
Akerman LLP

Andrew Esposito
APEX Development

Frank Quatela
Architect

Kevin Williams

Richard Lobel
Sheldon Lobel, PC

Sam Zirkiev
Applicant

John Cori
Community Board 14 Chair of Land Use Committee

Delores Orr
Community Board 14 Chairperson

Lisa Orrantia

Steven Sinacori

Fayanne Betan
Sheldon Lobel, PC

Todd Dale

Scott Barone
Barone Management

A P P E A R A N C E S (CONTINUED)

Sylvia Johnson

James Colasante
Bayside Gables Homeowner's Association

Leo Marinello

Barbara Griffel

Megan Rha
Community Board 11

Roseann Henry

Walter Mugdan
President of Homeowner's Association

Matthew Silverstein
President of Bay Terrace Community Alliance

Henry Euler
Community Board 11 Second Vice Chair

Paul Graziano

Phil Konigsberg
Queens Community Board 7

Carol Marion

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2 SERGEANT AT ARMS: Quiet please. Keep it
3 down. Good morning and welcome to the New York City
4 hybrid hearing on the Subcommittee on Zoning and
5 Franchises. Please silent all electronic devices at
6 this time. Also, please do not approach the dais.
7 If you have any questions, please raise your hand.
8 One of us Sergeant at Arms will kindly assist you.
9 Chair, we are ready to begin.

10 CHAIRPERSON LOUIS: [gavel] Good morning
11 and welcome to our meeting of the Subcommittee on
12 Zoning and Franchises. I'm Council Member Farah
13 Louis, Chair of the Subcommittee. This morning I am
14 joined by Council Members Amanda Farías, Lynn
15 Schulman, Yusef Salaam, Simcha Felder, Elsie
16 Encarnación, Justin Sanchez, Shanel Thomas-Henry,
17 David Carr, Tiffany Cabán, Selvena Brooks-Powers, and
18 Inna Vernikov. I am excited about this first meeting
19 as Chair of the Subcommittee. I look forward to
20 working with each of the Subcommittee Members, Chair
21 Riley of the Land Use Committee, and Chair Marte of
22 the Landmarks Subcommittee. I also look forward to
23 working with applicant teams, and most importantly,
24 hearing from the public. We have a full calendar, so
25 let's get started. Today, we are holding eight

2 public hearings on 1417 Avenue U, mixed-use
3 residential rezoning in Council Member Vernikov's
4 district; 14-10 Beach Channel Drive residential
5 rezoning in Council Member Brooks-Power's district;
6 33-01 11th Street, a mixed-use residential zoning in
7 Council Member Cabán's district; 78-08 Linden
8 Boulevard, a mixed-use residential rezoning in
9 Council Member Ariola's district; 63-12 Brooklyn--
10 sorry-- Broadway residential rezoning in Council
11 Member Won's district; and 247-56 90th Avenue
12 residential rezoning in Council Member Lee's
13 district; 217-14 24th Avenue, residential rezoning in
14 Council Member Paladino's district; and a sidewalk
15 café application by Ethyl's [sic] Alcohol and Food in
16 Speaker Menin's district. This meeting is being held
17 in a hybrid format. Members of the public who wish to
18 testify may testify in person or via Zoom. Members of
19 the public wishing to testify remotely may register by
20 visiting the New York City Council website at
21 www.council.nyc.gov/landuse to sign up, or for those
22 of you here in person, please see one of the Sergeant
23 at Arms to prepare and submit a speaker card. Members
24 of the public may also view a live stream broadcast of
25 the meeting at the Council's

2 website. When you are called to testify before the
3 committee, if you are joining us remotely, you will
4 remain muted until recognized by myself to speak.
5 When you are recognized, your microphone will be
6 unmuted. We will limit public testimony to two
7 minutes per witness. If you have additional
8 testimony that you would like the Subcommittee to
9 consider, or if you have written testimony that you
10 would like the Subcommittee-- sorry-- that you would
11 like to submit instead of appearing in-person, please
12 email to landusetestimony@council.nyc.gov. Written
13 testimony must be submitted up to three days after
14 the hearing is closed. Please indicate the area
15 number and/or project name in the subject line of
16 your email. We request that witnesses joining us
17 remotely remain in the meeting until excused by the
18 Chair, as Council Members may have questions.
19 Lastly, for everyone attending today's meeting, this
20 is a government proceeding and decorum must be
21 observed at all times. Members of the public are
22 asked not to speak during the meeting unless you are
23 testifying. The witness table is reserved for people
24 who are called to testify, and no video recording or
25 photography is allowed from the witness table.

2 Further, members of the public may not present audio
3 or video recordings as testimony, but may submit
4 transcripts of such recordings to the Sergeant at
5 Arms for inclusion in the hearing record. And we've
6 also been joined by Council Member Ariola. I now
7 open the public hearing on LU numbers 33 and 34
8 regarding the 33-01 11th Street residential mixed-use
9 rezoning proposal in Ravenswood, Queens in Council
10 Member Cabán's district. The proposal involves a
11 zoning map and text amendment. Applicant is seeking
12 to build a mixed-use residential building with
13 approximately 256 apartments. Mandatory Inclusionary
14 Housing would be mapped as part of this application.
15 So, between 52 and 77 of the apartments would be
16 approximately affordable depending on affordability
17 options selected. For anyone wishing to testify
18 regarding this proposal remotely, if you have not
19 already done so, you must register online by visiting
20 the Council's website at council.nyc.gov/landuse.
21 For anyone with us in-person, please see one of the
22 Sergeant at Arms to submit a Speaker card. If you
23 would prefer to submit written testimony, you can
24 also do so by emailing

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2 landusetestimony@council.nyc.gov. I now recognize
3 Council Member Cabán for remarks.

COUNCIL MEMBER CABÁN: Thank you, Chair.

5 Much of the Ravenswood area in District 22 is still
6 governed by zoning that has not been updated since
7 1961. Since 2018, six private rezoning applications
8 have been approved allowing up to 1,192 new units,
9 including approximately 300 MIH units, yet only one
10 project has even filed permits to begin construction.
11 None of these projects have broken ground, and the
12 community deserves a more comprehensive community-
13 driven approach to ensure equitable and coordinated
14 planning for development in this area, and I look
15 forward to seeing how this individual development can
16 better meet the community's priorities and continue
17 conversations in our community about how to better--
18 bring better planning to this part of Astoria. So,
19 thank you, Chair.

20 CHAIRPERSON LOUIS: Thank you, Council
21 Member Cabán. I now call the applicant panel for
22 this proposal which consists of Richard Bass [sp?].
23 Counsel, please administer the affirmation.

24

25

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2 COMMITTEE COUNSEL: Good morning.

3 Standing, I like it. Can you please state your name
4 for the record and--

5 RICHARD BASS: Richard Bass.

6 COMMITTEE COUNSEL: the project you're--

7 RICHARD BASS: [inaudible] 33-01 11th
8 Street.

9 COMMITTEE COUNSEL: Thank you. And do
10 you swear to tell the truth and nothing but the truth
11 in your testimony this morning and in response to
12 Council Member questions?

13 RICHARD BASS: I do.

14 COMMITTEE COUNSEL: Thank you.

15 CHAIRPERSON LOUIS: Thank you. You may
16 begin your testimony which is limited to eight
17 minutes. It's a strict eight minutes. And I would
18 just ask you to please restate your name and
19 organization for the record. You may begin.

20 RICHARD BASS: Am I on? Madam Chair,
21 congratulations. I look forward to working with you.
22 I'm Richard Bass. I'm with the law firm Akerman LLP.
23 I can do my presentation, but I need my deck on the
24 screen. Oh, so I have to look there, not here?

25

2 CHAIRPERSON LOUIS: When you're ready to
3 go to the next slide, you can say next slide, but you
4 could go.

5 RICHARD BASS: 33-01 11 Street is
6 currently owned by Catholic Medical Mission. They
7 provide medical services to developing countries. As
8 the Council Member mentioned, this zoning R5 has been
9 in place since 1961. It was actually studied in the
10 late 50s. So, it's almost 70 years out of date. And
11 when City Planning rezoned the area north of
12 Broadway, it was 200 and something blocks. They
13 promised to come back and do south of Broadway. That
14 didn't occur, so we're now doing a block by block by
15 block rezoning. And if you look at this picture,
16 I'll just use it as an example. It's like north,
17 west and south were rezoned by my office. Another
18 law firm is doing the block to the east. Next slide,
19 please. This is the block. It's a full block.
20 We're a block south of Broadway. Oh, thank you. So,
21 we're between 11th--

22 COMMITTEE COUNSEL: [interposing] Richard,
23 I'm sorry for interrupting. I think something is
24 wrong with your mic. Maybe, can you just pull the
25 mic next to you over and turn this one off.

2 RICHARD BASS: I'll scoot over.

3 COMMITTEE COUNSEL: Yeah, or scoot over.

4 Thank you. And just turn this one off so

5 [inaudible]. Thank you.

6 RICHARD BASS: Does this one work?

7 COMMITTEE COUNSEL: Yes.

8 RICHARD BASS: Okay. So, this is-- now
9 you really can hear me. This is between 11th and 12th
10 Streets, 33rd Road and 33rd Avenue. Next slide.

11 Though it's zoned R5, as you can see by the color
12 coded map, most of the area is industrial. Right
13 now, our site is used for warehousing. Next slide.

14 Some of the pictures of the area. I know the Council
15 Member has been visiting the site, but as you can see
16 from the slide, this is not a residentially built
17 environment. The R5 didn't encourage residential
18 development, and these rezonings, the one that I'm
19 doing, the three others that my office has done, is
20 trying to make this a more residential neighborhood.

21 Next slide. Again, more pictures of the existing
22 warehouse. On the northeast corner there is a auto
23 repair business. Next slide. We're seeking two

24 changes. One's a zoning map change from the R5 to an
25 MXR7AM14 zoning district. Also, we'd be amending the

2 zoning text to allow MIH. Why we're doing the MX is
3 that the client would like to remain on the site to
4 continue their mission providing medical supplies to
5 the developing countries around the world. Next
6 slide, please. On the left, you can see the R5 kind
7 of is the hole in the donut. So as I previously
8 described, northwest and south has been rezoned.
9 East of us is being studied for a rezoning. So, it
10 would make good planning sense to do the hole in the
11 donut. So, we're proposing an R7A, M14 rezoning.
12 Next slide, please. What we're proposing is a 10-
13 story building, approximately 186,000 square feet of
14 residential. I would produce 251 units, 63 would be
15 permanently affordable. We worked with the Council
16 Member on reducing the number of studios and increase
17 the number of one-bedrooms. By doing that, we've
18 actually increased the number of two and three-
19 bedrooms to 44 percent of the total units. The light
20 warehouse, almost 14,000, would still be used by
21 Catholic Medical Mission. We anticipate a little shy
22 of 9,000 square feet of commercial, but as in
23 discussions with the Council Member, we'll look at
24 maybe doing a community facility use there, and the
25 3,300 square feet of community facility use that's on

2 the slide is going to be for the office of the
3 Catholic Medical Mission. They currently-- I don't
4 really know why, they have space down on Wall Street.
5 So, this would be consolidating their warehouse and
6 their back office space. Next slide. This is the
7 first floor picture. It shows the residential
8 entrances where we would have the trucks backing into
9 the site and the retail. Next slide, please. This
10 shows the massing of the building. We're doing a U
11 shape that takes advantage of the southern light, and
12 as you can see by the dotted lines, the three
13 developments that the Council had previously approved
14 that we put on this slide. Next slide. This is an
15 illustrative rendering of the site. Next slide. And
16 again, a different angle of the proposed building.
17 And I think that's it for my presentation.

18 CHAIRPERSON LOUIS: Thank you. I have a
19 few questions about this project.

20 RICHARD BASS: Yes, ma'am.

21 CHAIRPERSON LOUIS: First, when this
22 proposal was presented to Queens Community Board One
23 back in September, Community Board One responded that
24 they would like to see more family-sized units and

2 fewer studios. How is this proposal changed in
3 response to that feedback?

4 RICHARD BASS: Well, we reduced the
5 number of studios. At the full board meeting,
6 there's a little confusion because at that time, 42
7 percent of the units were two- and three-bedroom, and
8 I think the Community Board missed that. I've
9 subsequently met-- re-met with the Land Use Committee
10 and explained that. They understood. They missed
11 that. I promise in the future that I'll be clearer
12 in my presentations. I've been before this Community
13 Board probably a dozen times over the last 10 years,
14 so I know this board well, so I was a little
15 surprised by that. but we reduced the number of
16 studios. We've increased the one-bedrooms, and
17 because of that, the two's and three's which are more
18 family-sized units are now 44 percent of the units.

19 CHAIRPERSON LOUIS: Thank you. Has the
20 Catholic Medial Mission Board identified a developer
21 partner?

22 RICHARD BASS: Not yet. They--
23 nonprofits, as you know, have various options. They
24 can either partner early. They can partner in the
25 middle or they can partner late. They wanted to go

2 through the process, and once hopefully the Council
3 approves this application, they'll reach out and find
4 a development partner.

5 CHAIRPERSON LOUIS: Thank you. I now
6 recognize Council Member Cabán for questions.

7 COUNCIL MEMBER CABÁN: Thank you. Thank
8 you for the presentation. I mentioned this in my
9 opening, just to put it on the record again, that
10 since 2018 there have been six other private
11 rezonings in the Ravenswood area, and none of them
12 have broken ground. So, I just want to know if you
13 could provide any insight as to why none of these
14 developers in the area are moving forward with
15 construction after these rezonings have been
16 approved?

17 RICHARD BASS: I reached out to my
18 colleagues, and they reported that they're still in
19 the process of formulating their financing and trying
20 to move forward. So, these projects are still real.
21 They just haven't broken ground. Over the last
22 couple years, as you know, there's been lots of
23 external circumstances that have gotten in the way of
24 development, whether it's COVID, the Trump
25 administration part one/part two, the increase in

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2 interest rates, and even the demise of 421A and now
3 485X. So, all these factors, you know, have caused
4 delays. But besides that, I'm giving you a
5 generalized reading of why they haven't broken
6 ground.

7 COUNCIL MEMBER CABÁN: Yeah. And then
8 this question I feel like you'll be more equipped to
9 answer, but you know, what makes you confident that
10 this site will move forward with development if it's
11 approved. And the challenges, obviously, that you
12 named still exist to a degree.

13 RICHARD BASS: My crystal ball is a
14 little cloudy right now, but this client wants to
15 move forward, because it will help them accomplish
16 their mission in providing services to the world.
17 So, I think they're committed to finding a
18 development partner and to move forward.

19 COUNCIL MEMBER CABÁN: Thank you. I know
20 that we already talked about and addressed, you know,
21 the Community Board One issue. They also in their
22 recommendation prioritized deeper affordability. So
23 would you have any objection to a modification of the
24 site to strike MIH Option Two and add MIH Option
25 Three?

2 RICHARD BASS: Actually, no, and I wrote
3 that to you in a previous correspondence. The
4 modeling I showed you on the screen was assuming
5 Option One. With City Planning we always do Option
6 One and Two, but we anticipate the Council to make a
7 motion to do Option One. We have no objection to
8 Option Three.

9 COUNCIL MEMBER CABÁN: And again, this
10 is something that we talked about, but for the
11 purposes of this hearing, we-- you know, we took
12 months and months. We worked very closely with the
13 Land Use Division, did a wonderful job, and we are
14 getting ready to release our District 22 Community
15 Planning Guidelines, and as part of our community
16 engagement process, and you know, a few thousand
17 constituents participated in this, residents
18 identified childcare, health clinics and supermarkets
19 as the top services that they'd like to see increase
20 in the neighborhood. So, can you make a commitment
21 to prioritizing these uses in the development's
22 ground floor space? Like, I know on community use
23 obviously is for the organization, the developers
24 organizations, but-- or the owner's organization, but

2 yeah, is that a commitment that you can make to
3 prioritize those uses?

4 RICHARD BASS: Yes, and as we previously
5 discussed, depending on if we're forced-- or where we
6 are in the development process, we don't want to
7 provide a daycare center if the other developments
8 are doing that. So, we're going to be somewhat
9 nimble in terms of what service we're providing to
10 the community. But that's a promise we'll work with
11 you and the Community Board.

12 COUNCIL MEMBER CABÁN: Great. And since
13 you've worked along this corridor plenty before, I
14 know that you know this area is vulnerable to both
15 storm surge and flooding from heavy rainfall. It's
16 only getting worse. So, can you talk to me a little
17 bit about the commitment to investing in green
18 infrastructure, stormwater management, you know,
19 whether it's rain gardens, tree pits, permeable
20 pavements, things like that-- public space
21 surrounding the development.

22 RICHARD BASS: Well, in our re-- this was
23 a question your raised when we discussed-- by the
24 way, how is your pet? You were leaving the vet that
25 day.

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2 COUNCIL MEMBER CABÁN: Yes, she's good.

3 She's good. More spoiled than ever.

4 RICHARD BASS: So, we're going to have a
5 green--

6 COUNCIL MEMBER CABÁN: [interposing]
7 Expensive.

8 RICHARD BASS: They always are.

9 COUNCIL MEMBER CABÁN: Yeah.

10 RICHARD BASS: We're going to have a
11 green roof. We're going to be a fully-electric
12 building. The only thing in the basement will be
13 the-- there actually is no basement. The part of the
14 ground floor will be the warehousing. The building
15 will be waterproofed. Our architect who is a WBE has
16 assured us that the building will be sustainable and
17 will not be impacted if there's a storm flow.

18 COUNCIL MEMBER CABÁN: Thank you, and
19 thank you, Chair.

20 CHAIRPERSON LOUIS: Thank you, Council
21 Member. If there are any members of the public who
22 wish to testify regarding this proposal remotely,
23 please press the raise hand button now. If you are
24 in-person, please identify yourself to one of the
25 Sergeants. Being that there are no members of the

2 public who wish testify regarding LUs 33 and 34
3 relating to the 33-01 11th Street mixed-use
4 residential rezoning proposal, the public hearing is
5 now closed, and these items are laid over. Thank
6 you.

7 RICHARD BASS: Thank you. Be well. Be
8 safe.

9 CHAIRPERSON LOUIS: Alright, I will now
10 open the public hearing on LUs 17, 18 and 19
11 regarding the 1417 Avenue U mixed-use rezoning
12 proposal in Sheepshead Bay, Brooklyn in Council
13 Member Vernikov's district. The proposal involves a
14 zoning map and text amendment as well as the
15 cancelation of an existing restrictive declaration
16 recorded against the development site. Applicant is-
17 - the applicant is seeking to build a mixed-use
18 residential building with approximately 76
19 apartments. Mandatory Inclusionary Housing would be
20 mapped at-- mapped as part of this application. So,
21 approximately 19 of the apartments would be
22 permanently affordable depending on the affordability
23 option selected. For anyone wishing to testify
24 regarding this proposal remotely, if you have not
25 already done so, you must register online by visiting

2 the Council's website at council.nyc.gov/landuse.
3 For anyone with us in-person, please see one of our
4 Sergeant at Arms to submit a speaker card. If you
5 would prefer to submit written testimony, you can
6 also do by emailing landusetestimony@council.nyc.gov.

7 I now recognize Council Member Vernikov for remarks.

8 COUNCIL MEMBER VERNIKOV: Thank you,
9 Chairwoman. Good after-- I'm sorry, good morning.
10 Okay, so 1417 Avenue U, this proposed housing
11 development at 1417 Avenue U is a project that
12 ordinarily would not receive my support. Community
13 Board 15 voted down this proposal. The no vote
14 driven by the issue of parking. Parking has been a
15 huge concern throughout my district throughout my
16 tenure. However, I'm happy to report that the
17 applicant and development team have listened to our
18 community, understood the concerns and did what they
19 could to alleviate them. Because of this good faith
20 negotiation, we are presented in a commitment letter
21 nearly 40 percent of the proposed 76 housing units at
22 this location will have a dedicated parking spot.
23 This level of parking is particularly notable, given
24 that the site is located just half a block from a
25 subway station, providing residents with immediate

2 access to public transportation. This is especially
3 relevant considering reforms that allow them to have
4 as few as zero parking spaces. I do not believe that
5 policy is workable in the 48th District and many
6 other districts across the outer boroughs. Because
7 the applicant and their team have worked with us on
8 this issue, achieving what hopefully will be a one-
9 to-one parking for those who have cars in the
10 proposed development or very close to it. This is
11 something that I can proudly support. I also
12 appreciate the creative and balanced approach they're
13 taking to my preference of a split across 6080 on 100
14 AMI. Additionally, since Avenue U is a commercial
15 corridor and we receive a fair amount of trash
16 complaints on the street, it is very important for
17 the proposed 1417 Avenue U location to have a viable
18 sanitation plan, which they do, and we will hold them
19 to it. just as citywide housing plans should respect
20 and consider the unique needs of our neighborhoods
21 and communities, new buildings and developments
22 should respect it and be a good neighbor, both in
23 spirit and tangible detail. I believe that is being
24 met here. I'd like to thank everyone involved in this
25 project, and I encourage the members of this

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2 subcommittee to ask questions as you see fit today as
3 we work together to build and rebuild a city with
4 sensible housing solutions that take the unique needs
5 and preferences of each neighborhood into account.

6 Thank you.

7 CHAIRPERSON LOUIS: Thank you, Council
8 Member Vernikov. I now call the applicant panel for
9 this proposal which consists of Frank St. Jacques and
10 Andrew Esposito. Counsel, please administer the
11 affirmation.

12 COMMITTEE COUNSEL: No problem. Good
13 morning, please raise your right hand. Could you
14 please state your name for your record?

15 FRANK ST. JACQUES: Frank St. Jacques,
16 Akerman LLP.

17 ANDREW ESPOSITO: APEX Development.

18 COMMITTEE COUNSEL: Do you swear to tell
19 the truth and nothing but the truth in your testimony
20 this morning in response to Council Member questions?

21 ANDREW ESPOSITO: Yes.

22 FRANK ST. JACQUES: I do.

23 COMMITTEE COUNSEL: Thank you. You may
24 now begin your testimony which is limited to eight
25

2 minutes, and I will just ask to please restate your
3 name and organization for the record.

4 FRANK ST. JACQUES: Thank you, Council
5 Member Louis. Welcome. My name is Frank St.
6 Jacques. I'm with Akerman LLP. As noted, I'm joined
7 by Andrew Esposito from the applicant team. I'll try
8 and move through the slide show quickly. Next slide,
9 please. The rezoning areas on the northside of
10 Avenue U between East 14th and East 15th Streets was
11 designated an R5 in 1961 and a private application in
12 1979 established that the C13 overlay on this block
13 front. That overlay was intended to facilitate the
14 redevelopment of the site with a drive-through bank
15 and its accessory parking lot, and a restrictive
16 declaration was recorded against the development site
17 in connection with that rezoning. That restrictive
18 declaration is now mute, and I'll explain in a moment
19 one of the actions is to remove that historic
20 restrictive declaration. I'll note the rezoning area
21 is within the outer transit zone. Next slide, please?
22 The rezoning area is the full block front. The
23 development site is highlighted there. It's a single
24 applicant-owned tax lot 37 which is an approximately
25 12,600 square foot corner and interior lot. It's

2 currently cleared for development. It was previously
3 improved with a one-story commercial building that
4 was initially a drive-through bank and then retail,
5 several different iterations over the years. Next
6 slide, please. The land use that was shown here,
7 land uses in the built context is generally
8 commercial along Avenue U which is the local retail
9 corridor that runs east to west. Avenue U is
10 considered a wide street under zoning, and the mid-
11 blocks are generally lower-density residential with
12 some multi-family apartment buildings on the block
13 ends and within the mid-blocks. Some of them are
14 called out on the slide with the six's indicating
15 that they're either six stories or six stories and
16 basement. Next slide, please. Then you can see that
17 surrounding context in this aerial view looking
18 north. You can see how close the rezoning area is to
19 the Avenue U Q Station and some of that existing
20 multi-family context in the area. Next slide,
21 please. So, the application is seeking land use
22 actions, a zoning map amendment to change that
23 existing R5 to R7A, and then reduce the depth of the
24 commercial overlay and change it to a C24 from a C13.
25 We're also requesting to map Mandatory Inclusionary

2 Housing. And as I noted at the outset, modification
3 of the restrictive declaration to cancel it, given
4 that it is no longer applicable to the site. Next
5 slide, please. This slide just shows that the
6 proposed zoning district boundary, it consists of
7 that, that northside of Avenue U between East 14th to
8 the west and East 15th Street to the east. Again,
9 establishing the R7A on this block front. Next slide,
10 please. Here you can see where R7A is mapped within
11 the surrounding area, both in community of District
12 14 and community District 15 extensively along Ocean
13 Avenue, Kings Highway, and Coney Island Avenue. Next
14 slide, please. The proposed actions would facilitate
15 the development of a new seven-story mixed-use
16 building at the development site with approximately
17 76 apartments-- excuse me, MIH would be mapped at the
18 site, and there's a mix of bedroom sizes between
19 studios one's and two's. Council Member Vernikov
20 noted at the outset we've been able to accommodate a
21 higher parking ratio than what would be required
22 pursuant to zoning. So, 27 parking spaces would be
23 provided in the building, and we've committed to
24 that. The application team has committed to that in a
25 letter to the Council. Next slide, please. Just

2 move through this quickly. This is a site plan
3 showing the building configuration. It's essentially
4 an L-shaped building wrapping Avenue U to the south
5 and east 14th Street to the east, rising to seven
6 stories at the corner of Avenue U and then stepping
7 down at the northern edge of the building with an
8 open space at the interior site. Next slide, please.
9 This ground floor plan shows that retail shaded in
10 red here is situated along the Avenue U frontage with
11 a residential lobby on East 15th and then a ramp to
12 that seller [sic] parking on the northern-most
13 portion of the building. Next slide, please. Here
14 we're showing that 27-space parking garage. Next
15 slide, please. And then just some illustrative
16 massings showing that the building was designed with
17 articulation to add some visual interest and break up
18 the massing. The ground floor retail is consistent
19 with the Avenue U streetscape and will activate
20 further this portion of Avenue U with local retail.
21 Next slide, please. This is our illustrative MIH
22 breakdown showing the mix of incomes that Council
23 Member Vernikov just mentioned, eight units at 60
24 AMI, seven units at 80 percent AMI, and eight units
25 at 100 percent AMI. This option provides 23

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Mandatory Inclusionary Housing units which would be permanently affordable for the life of the project.

Next slide, please? That concludes our presentation and we're happy to answer any questions. And I neglected to thank Council Member Vernikov at the beginning of my presentation, but we're, again, available for questions. Thank you.

9 CHAIRPERSON LOUIS: Thank you. I have a
10 couple of questions. How did you arrive at the
11 proposed unit mix for this project?

FRANK ST. JACQUES: I think there's a combination of working within the footprint of the building. It's certainly not set in stone, but initially trying to dial in on both the number of units as it related to the parking requirement. There's a parking waiver for fewer than 15 spaces. That was something that we were initially looking at. But the-- really the idea was to provide a sufficient number of units at a range of sizes to accommodate the community, but also not run afoul of the-- I'm sorry, let me say that differently. Not trigger a parking requirement that was greater than what we could accommodate in the cellar [sic] parking space.

25

2 CHAIRPERSON LOUIS: Do you have the
3 capacity to provide more two or three bedrooms for
4 this project?

5 FRANK ST. JACQUES: It's possible. I
6 would need to take it ownership and the design team,
7 but it's-- you know, this is an illustrative plan.
8 It's certainly what the applicant is envisioning, but
9 we certainly won't rule out larger units.

10 CHAIRPERSON LOUIS: Okay. what type of
11 retail tenants do you have in mind to occupy the
12 ground floor commercial space?

13 FRANK ST. JACQUES: No firm plans, but
14 this is a lively local retail corridor. Many of the
15 lettered east/west streets, Avenue U being one of
16 them, are really just local retail corridors. We
17 anticipate probably even breaking up that retail
18 space into smaller units or just having a larger,
19 again, local service, serving either food store or
20 some type of service use.

21 CHAIRPERSON LOUIS: Okay. Council
22 Member, do you have any questions. Alright, and I
23 invite my colleagues to ask questions. Any one of
24 the panel have questions? Alright. If there are any
25 members of the public who wish to testify regarding

2 this proposal remotely, please press the raise hand
3 button now. If you are in-person, please identify
4 yourself to one of the Sergeants. Being there are no
5 members of the public who wish to testify regarding
6 LUs 17, 18 and 19 relating to 1417 Avenue U mixed-use
7 residential rezoning proposal, the public hearing is
8 now closed and these items are laid over.

9 FRANK ST. JACQUES: Thank you, Chair
10 Louis. Thank you, Council Member Vernikov.

11 CHAIRPERSON LOUIS: Thank you. I will now
12 open the public hearing on LU's 28, 29 and 30
13 regarding the 14-10 Beach Channel Drive residential
14 rezoning proposal in Far Rockaway, Queens in Council
15 Member Brooks-Power's district. The proposal
16 involves a zoning map and text amendment. Applicant
17 is seeking to build a mixed-use residential building
18 with approximately 97 apartments. Mandatory
19 Inclusionary Housing would be mapped as part of this
20 application. So, between 19 and 29 of the apartments
21 would be permanently affordable depending on the
22 affordability option selected. For anyone wishing to
23 testify regarding this proposal remotely, if you not
24 already done so, you must register online by visiting
25 the Council's website at council.nyc.gov/landuse.

2 For anyone with us in-person, please use-- please see
3 one of the Sergeant at Arms to submit a speaker card.

4 If you would prefer to submit written testimony, you
5 can always do so by emailing it

6 landusetestimony@council.nyc.gov. I now recognize
7 Council Member Brooks-Powers for remarks.

8 COUNCIL MEMBER BROOKS-POWERS: Good
9 morning and thank you, Chair Louis, for holding
10 today's hearing. I also want to thank the community
11 stakeholders and residents who have taken time to
12 engage in this process as we review the proposal for
13 14-10 Beach Channel Drive in Far Rockaway. The
14 Rockaway peninsula has experienced a significant
15 level of development and transformation over the past
16 decade. The Rockaways are uniquely vulnerable to
17 environmental and climate-related threats including
18 coastal storms, flooding and extreme weather events.
19 As we continue-- excuse me. As we consider new
20 housing opportunities, we must ensure that
21 surrounding infrastructure including transportation,
22 schools, resiliency protections, and utilities can
23 support both existing residents and future growth.
24 Sustainable development means building housing that
25 is not only accessible, but also safe, resilient and

2 well-integrated into the fabric of the community. It
3 is also critically important that as we discuss new
4 housing production, we remain focused on expanding
5 pathways to homeownership. For many working families
6 in southeast Queens and the Rockaways, home ownership
7 has long been one of the most reliable ways to build
8 generational wealth and to achieve long-term
9 stability. As new developments are proposed, we
10 should continue exploring opportunities to
11 incorporate home ownership models alongside rental
12 housing so that families who have built this
13 community have an opportunity to remain and thrive
14 here for generations to come. Today's hearing is an
15 important opportunity to hear directly from the
16 applicants, stakeholders and the public about how
17 this proposal addresses community concerns, housing
18 needs, and long-term resiliency for the peninsula. I
19 look forward to a productive discussion and to
20 ensuring that any development in this area reflects
21 the priorities and realities of the community it will
22 serve. Thank you, Chair, once again, and I look
23 forward to the testimony.

24 CHAIRPERSON LOUIS: Thank you, Council
25 Member. I will now call the applicant panel for this

2 proposal which consists of Richard Lobel, Kevin
3 Williams, Frank Quatela, I apologize, and Sam
4 Zirkiev. Alright. Counsel, please administer the
5 administration-- affirmation.

6 COMMITTEE COUNSEL: Good morning. Could
7 you please raise your right hand? Alright, please
8 state your name for the record from right to left.

9 FRANK QUATELA: Frank Quatela, architect.

10 KEVIN WILLIAMS: Kevin Williams, planner.

11 RICHARD LOBEL: Richard Lobel, zoning
12 attorney.

13 SAM ZIRKIEV: Sam Zirkiev, applicant.

14 COMMITTEE COUNSEL: Do you swear to tell
15 the truth and nothing but the truth in your testimony
16 before Council and in response to Council Member
17 questions?

18 UNIDENTIFIED: I do.

19 UNIDENTIFIED: I do.

20 UNIDENTIFIED: Yes.

21 COMMITTEE COUNSEL: Thank you.

22 CHAIRPERSON LOUIS: Thank you. You may
23 now begin your testimony which is limited to eight
24 minutes, and I will just ask you to please restate

2 your name and organization for the record. You may
3 begin.

4 RICHARD LOBEL: Thank you, Chair Louis,
5 committee members, Richard Lobel of Sheldon Lobel,
6 PC. I'm here with Sam Zirkiev with regards to the
7 1410 Beach Channel Drive rezoning which you see
8 before you. The next slide contains a project
9 summary which is for a proposed rezoning of roughly
10 six lots from an existing R5 district to an R6A, C24,
11 and R6A district. This rezoning would facilitate the
12 development of a new seven-story building which would
13 be mixed-use commercial community facility and
14 residential. Roughly 110,000 square feet with 98
15 dwelling units. The construction would take place on
16 lots one and 51. Importantly, when we look at this
17 rezoning, you'll see this from the maps and photos,
18 this lot is sorely under-developed. It has been
19 zoned R5 since 1961, and basically when we look to
20 rezonings in areas where housing is needed where
21 there are underutilized lots, proximate to
22 transportation. It's really an excellent example of
23 a potential rezoning. In addition, of course, as
24 with all such rezonings, we'd be mapping a Mandatory
25 Inclusionary Housing text amendment to allow for

2 Option One at the site, producing roughly 25 units.

3 The next slide, the numbers behind the proposed

4 development. So, we've got a seven-story plus cellar

5 buildings. Similar in scope to some of the other

6 buildings in the area, giving the existing zoning

7 districts which we'll review. The building itself,

8 110,000 square feet of which roughly 100,000 square

9 feet be residential, 4,800 for commercial use, and

10 4,400 for intended house of worship. There's an

11 existing church at the site. Sam's been working with

12 the church group in order to repopulate the space

13 there. The commercial use would be devoted to local

14 retail. Right now, the site is used for open parking

15 and a used car lot. So, this is a real nice upgrade

16 in terms of potential uses for the site and for the

17 area. Roughly 65 feet of the street wall with

18 setbacks at the six and seventh stories, 77-foot tall

19 building, 81 parking spaces which in accordance with

20 a reduced number of units, 98 units, give us roughly

21 one for one in terms of parking spaces for a number

22 of units, and then 25 affordable units including

23 sustainability measures as listed at the bottom of

24 the slide. You can see from the next slide, the

25 zoning map, again that R5 district. To note to the

2 immediate east and south of the site, you have the
3 downtown Far Rockaway District which in 2017 provided
4 for a rezoning to allow for R71 in similar district
5 near modes of transport such as the Long Island
6 railroad which sits 200 feet from the property. So,
7 while there's limited transportation generally in the
8 area, this site's great. It has transportation in
9 terms of the Long Island railroad as well as the A
10 Train which is roughly a third of a mile from the
11 site, inclusive of several bus stops and bus lines as
12 well. The next slide is a tax map showing with
13 particularity the rezoning. You can see the R6A
14 zoned on the R5 district immediately adjacent to that
15 R71 to the east, allowing for very similar type
16 buildings including new 12-story buildings that have
17 been built within the last two years, and a
18 commercial overlay along Beach Channel Drive,
19 reflecting the more active street frontage on Beach
20 Channel. The next slide is h area map which I think
21 tells the story well in terms of what we've been
22 discussing. We've got the Red Fern Houses to the
23 immediate north with multiple six-story buildings.
24 To the east there are multiple 12-story, 10-story,
25 nine-story buildings, and you can see that Beach

2 Channel widens to 80 feet there. So, when you look
3 at a sight which is approximate to transportation,
4 it's situated adjacent to a wide street, and is
5 severely underbuilt. It's really-- kind of when you
6 look at that transit-oriented development, it's a
7 really great opportunity for the site. In addition to
8 which the site itself is 28,00 square feet and right
9 not it's 3,800 square feet of building on it--
10 severely underbuilt. And including uses which are
11 not really reflective of the best uses in the area,
12 including like I said, a car lot and parking. The
13 next several slides show the existing buildings at
14 the site. Again, that long-standing church building
15 as well as the used parking lot. And then if we page
16 through the photos on the site, we come to the plans
17 and materials. Frank, do you want to just run us
18 through basic plans for the next couple of minutes,
19 and then we can answer questions.

20 FRANK QUATELA: Sure. Frank Quatela,
21 architect. I could just start from the ground up.
22 So, we have a cellar with a fully-- integrated with a
23 self-park facility, so it's not for a mand--
24 attendant parking. Full cellar. No utilities in the
25 cellar because we are within the 100-year floodplain.

2 I don't know if you hear me well. Can you? Okay.
3 You can go through the next slide, please. That's
4 the cellar parking, self-park again, with a two-way
5 ramp, from Nameoke Street. Next slide. First floor
6 is also some parking with commercial and community
7 facility with the residential lobby there. The
8 commercial and community facility uses will be dry
9 flood-proof with flood gates at their entry doors and
10 exit doors. The residential lobby will not have
11 that, although the residential starts above the
12 floodplain level at the first-- second story, sorry.
13 Next slide. A mix of units here, as you can see,
14 from the second through the sixth floor where the
15 setback happens-- one's two's and studios. Next
16 slide. At the sixth floor is where the setback
17 happens. Go-- there are private terraces flanking
18 the residential units. Next slide. And you could go
19 up to the roof where we will incorporate some green
20 and solar as per the code, and consider more
21 conservation of stormwater in order to satisfy that
22 requirement for sort of a low-consumption building.
23 You can go to the next slide. These are just some
24 elevations for Beach Channel and Nameoke Street.
25 Noticing that we are showing the green roof there at

2 the setbacks, public and private. Next slide. And
3 the architectural rendering which shows the
4 commercial use at the corner of Nameoke and Beach
5 Channel, and the church would be set back further up
6 on Beach Channel Drive. We're anticipating a fresh
7 food supermarket there at the corner for the
8 commercial use. Thank you.

9 RICHARD LOBEL: Thank you. And if we
10 could just advance one more slide, we would just note
11 that we've worked with Council Member Brooks-Powers
12 and had several conversations with her in her office.
13 There were changes to the building design which we
14 think are more reflective of the context of the area,
15 and the result would be the proposed building that
16 you see in front of you. And with that, the entire
17 applicant team is happy to answer questions.

18 CHAIRPERSON LOUIS: Thank you. Some
19 quick questions. Recent development in the downtown
20 Far Rockaway area have been HPD-financed 100 percent
21 affordable projects. Have you considered HPD
22 financing for this site and discussed it with HPD?

23 RICHARD LOBEL: So, we haven't for the
24 following reason. Oftentimes, when we have spoken to
25 the development community and Sam's own experience is

2 that HPD-financed projects take a lot of time. And
3 so we've got we've projects where we've been involved
4 in rezonings in this community district which have
5 been literally waiting years in terms of the
6 opportunity to not only just to finish the ULURP
7 hearings, but also to go into the development. Sam
8 felt strongly at this site that he's able to--
9 particularly in light of market rate units being able
10 to subsidize the affordable units to be able to move
11 forward with an actual development here. And so
12 while we understand the importance of 100 percent
13 affordable developments, here we felt that the mix of
14 units here and mix of income ranges would better
15 serve both the opportunity to develop, as well as the
16 community.

17 CHAIRPERSON LOUIS: Thank you. For the
18 retail component, which businesses have you reached
19 out to and how many businesses are you planning to
20 lease to?

21 RICHARD LOBEL: Sure. So, there's a
22 limited amount of commercial space here. There's
23 about 4,800 square feet of commercial space, and
24 currently as we discussed, this is utilized by
25 community facility building and an open parking lot

2 for the sale of used cars. So, the opportunity to
3 have actual retail here and local retail was very
4 important to the project. When we did have
5 discussions with the Community Board, there was a
6 discussion around the opportunity to do food store
7 and something local, really an opportunity to provide
8 produce fresh-- because to people in the surrounding
9 area, inclusive of the people who would be living in
10 the proposed development. So, that's currently the
11 goal. And Sam has talked to various food store
12 providers who would be interested in the space, and
13 those conversations are ongoing.

14 CHAIRPERSON LOUIS: Alright. Thank you.
15 I will now recognize Council Member Brooks-Powers for
16 questions.

17 COUNCIL MEMBER BROOKS-POWERS: Thank you,
18 Chair, and thank you for the presentation and
19 testimony today. We have been in conversation I want
20 to say since I first got elected.

21 RICHARD LOBEL: Right.

22 COUNCIL MEMBER BROOKS-POWERS: So, I do
23 appreciate the sponsor reaching out with a lot of
24 lead time. We still have some more work to be done.
25 I did notice the color scheme change there, but

2 there's some more stronger commitments that are very
3 important to the community if we're going to move
4 forward with this project. Have you explored
5 opportunities for affordable homeownership unit as a
6 part of this proposal.

7 RICHARD LOBEL: Yeah. So, thank you,
8 Council Member, and thank you for your continued
9 conversations. It's not a given that we have the
10 kind of access that we have in terms of our
11 opportunity to discuss these issues with you. We
12 appreciate it. With regards to affordable
13 homeownership, Sam has gone out and spoken to others
14 who have developed in the nearby area and who have
15 basically allowed for a mix of rental and affordable
16 homeownership. It's something he's currently working
17 on and also working on in terms of his opportunity to
18 actually proceed with the development. So, I'd say
19 that the door is open right now, and he's instructed
20 us to do further work in this regard. I know it's
21 part of an ongoing conversation. I think it's a
22 challenge for him, frankly, just given the financing
23 in terms of the site. Having said that, I know he
24 has had some ideas in that regard, and we're hopeful

2 to at least for a portion of it to be able to satisfy
3 the Council Member.

4 COUNCIL MEMBER BROOKS-POWERS: And I will
5 say, as I said privately and I'll say here on the
6 record, you know, there are a number of examples that
7 we could look at. In Astoria there's a project that
8 has both rental and home ownership, Ocean Crest in
9 Far Rockaway, that this council was able to move
10 forward-- was home-- became home ownership as well.
11 We have L&M. That is a mixture also of rental and
12 homeownership for the Arverne East Project in
13 Rockaway. So, there is precedent for it. I feel
14 extremely strongly as you all know in terms of the
15 homeownership element to it. In terms of the type of
16 development that we've seen in Rockaway, we-- you
17 know, the blessing in it is that in a-- the midst of
18 a housing crisis, we have options, but we have
19 options that still lead out a vast majority of the
20 people that live in the community that want to stay
21 and that want to have access to generational wealth.
22 So, the home ownership piece is very important. What
23 is the proposed unit mix of the project, and is it--
24 well, I saw it on this slide, so let me just rephrase
25 this. Again, is it feasible to provide more family-

2 sized units? I saw that you decreased the studio.
3 Thank you for that. But I would like to-- I think we
4 need more two- and three-family, because the-- when
5 you look at the development and I appreciate that Sam
6 has done the research around the community in terms
7 of what has been built. A lot of those deeply-
8 affordable apartments have been studio and one-
9 bedrooms, and we want to be able to create
10 opportunity for families to be able to have the room
11 that they need as they're growing.

12 RICHARD LOBEL: So, thank you, Council
13 Member. First of all, Sam, nodded in agreement with
14 the statement. We appreciate that. So, as you
15 mentioned, there was a reduction in the number of
16 units. The application as it was before the
17 Community Board was 118 units. That's been reduced
18 to 98 which we feel is a nice move towards where we
19 want to be in terms of unit sizes. There's only one
20 studio left in the development that's essentially
21 allocated for the super's unit. So, we've really
22 managed to allow for--

23 COUNCIL MEMBER BROOKS-POWERS:

24 [interposing] Supers have families, too.

2 RICHARD LOBEL: We understand.

3 Absolutely. But just happened to be the layout and
4 where that was located in terms of the layout. It
5 wasn't intentional in that regard. But I will say
6 that necessarily when we reduce from 118 to 98, we
7 did get more unit combinations. I'd have Frank just
8 speak to the actual unit count.9 FRANK QUATELA: Yeah, so the-- in the
10 presentation, as Richard mentioned, we did
11 significantly reduce the amount of units as well as
12 provide more three-bedrooms, two-bedrooms, and one-
13 bedrooms, and a significant reduction in studios. So
14 this one studio, a larger amount of two-- I can get
15 you the number exactly if you don't mind thumbing
16 through--

17 COUNCIL MEMBER BROOKS-POWERS:

18 [interposing] It was like about 20 and then like 10
19 on the three-bedroom, or yeah. It was about 40
20 total--21 FRANK QUATELA: [interposing] Yeah, 10
22 three-bedrooms.23 COUNCIL MEMBER BROOKS-POWERS: which is
24 two of them of combined. But it was like 56--

25 FRANK QUATELA: [interposing] Yeah.

2 COUNCIL MEMBER BROOKS-POWERS: one-
3 bedrooms.

4 FRANK QUATELA: Right. So now there are
5 57 one's, 30 two's and 10 three's with one studio.

6 RICHARD LOBEL: So, it's a full 40
7 percent of two's and three's which I think compares
8 pretty favorably to a lot of these applications.

9 COUNCIL MEMBER BROOKS-POWERS: Would love
10 to see how much further we can go on that. Again,
11 just looking at the landscape of what we already have
12 in the community and what the needs are that I've
13 heard in the community. Several adjacent blocks are
14 characterized by two- and three-story homes. Have
15 you done any local outreach about the project and
16 what additional engagement do you commit to do before
17 the ULURP process concludes?

18 RICHARD LOBEL: So, we have. And I think
19 one thing that's important to note is that we are in
20 an area where there is some similar typology in terms
21 of the height of buildings. So, there are six-story
22 buildings in the area, and to the east of the
23 property there are anywhere from nine to 12-story
24 buildings. So, we didn't want to do a rezoning where
25 we're inserting a potential seven-story next to two's

2 and three's. Having said that, Sam is very local in
3 terms of his development experience as well as his
4 outreach. I know he has talked to adjacent landowners
5 on the site and also others in the community. We're
6 absolute willing over the next several weeks to
7 continue that outreach. Inclusive of which I think
8 is important for us, the church on the site which is
9 excited about the opportunity to update their space
10 and to come back in and to continue to do good works
11 for the community. So, I think with all that we are,
12 you know, we're still happy to keep coming and keep
13 having those conversations. The building itself, six
14 stories and then set back, we feel is within the
15 context, but you know, again we're keeping the door
16 open and continue to have those conversations.

17 COUNCIL MEMBER BROOKS-POWERS: Chair, I
18 just had a few more questions, is that okay?

19 CHAIRPERSON LOUIS: If you could do one
20 more question given the amount of projects we have
21 today.

22 COUNCIL MEMBER BROOKS-POWERS: Okay.
23 Would we be able to submit a letter and get-- have
24 something submitted-- a response in writing for the
25 record? Okay. you mentioned the rezones that took

2 place several years ago, do you know why this site
3 was not included in that rezone?

4 RICHARD LOBEL: Yes. So, the rezoning
5 would have been a downtown Far Rockaway rezoning
6 which was city-sponsored, and I think that the city
7 as with a private applicant needs to engage in land
8 use and environmental studies in order to complete
9 their rezoning. So, oftentimes we find ourselves in
10 the position where properties are locked out because
11 the city only chooses to go up to a certain distance
12 from public transportation, etcetera. So, while we
13 are considered to be within the area of the train and
14 subway, within that main corridor which was rezoned--
15 and presumed to downtown Far Rockaway. Were it to be
16 a private rezoning and we could have spoken to the
17 applicant, that's one thing. Sam was not involved at
18 the property at the time of the downtown Far Rockaway
19 rezoning, so other than that, yeah, it's just
20 whatever the public records state in terms of the
21 boundaries of that rezoning area.

22 COUNCIL MEMBER BROOKS-POWERS: Thank you.
23 And as I shared with the Chair, I would like to have
24 submitted for the record responses to what specific
25 MWBE participation and local hiring goals are you

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2 committing to, and will you partner with my office
3 and local elected officials to partner on the local
4 job fairs, and how much parking is proposed and how
5 does it compare to the one-to-one ratio that we also
6 spoke of? And if you can submit that for the record,
7 I would appreciate it.

8 RICHARD LOBEL: Happy to do so. Thank
9 you, Council Member Brooks-Powers.

10 CHAIRPERSON LOUIS: Thank you, Council
11 Member. Counsel, are there any members of the public
12 who wish to testify remotely or in-person regarding
13 this proposal?

14 COMMITTEE COUNSEL: Yes, we have one
15 member of the public whose name is John Cori. You're
16 excused, yeah.

17 CHAIRPERSON LOUIS: Yeah, this panel is
18 excused.

19 RICHARD LOBEL: Thank you.

20 CHAIRPERSON LOUIS: Thank you. You could
21 press the button and you may begin.

22 JOHN CORI: Yep. Thanks for having me.
23 I'm representing CB14. I had submitted some
24 testimony. I'm not going to read the whole thing,
25 because it's going to be a little bit-- you know,

2 it's kind of unfair we have only two minutes to
3 respond. So, basically we're an absolute no on this
4 project in CB14. I'm Chair of the Community Board,
5 the Land Use Committee. And the people out there are
6 very clear about the issues that are-- there's been
7 massive overbuilding. You mentioned the downtown Far
8 Rockaway project, and the-- there's also a very large
9 cement facility that's causing major havoc in the
10 neighborhood with massive amounts of dust and that's
11 a big concern. And then the other concerns were from
12 the community about the lack of real community
13 benefit. You know, we approve these projects, and
14 the community benefits are not really there. The
15 developer will say yes, the church is going to
16 relocate there, but that just really gives the-- it's
17 really kind of a swap. You know, it's not really a
18 major benefit, you know? There was another property
19 where Peninsula Hospital site, they gave \$2 million
20 to the community. It's a much larger project. I
21 heard that they were able to build seven times the
22 amount that they were able to build, because we said,
23 you know, it was a yes. So, what happened was they
24 gave us a decent amount of money for the community.
25 It's not a shakedown. It's only fair, because every

2 community gets major benefits except for Rockaway in
3 these smaller projects. The larger projects, yes, are
4 beneficial. But we really need to hold accountable
5 these developers when they want to come into
6 communities that are definitely causing a burden from
7 the building, from the overcrowding, you know? We
8 just mentioned that downtown Far Rockaway project.
9 And throughout the peninsula we have about-- I think
10 there's 17,000 units. I think it's number one and
11 number two for all the affordable housing in New York
12 City, and that's kind of unfair burden, because then
13 it also goes onto the issue of property taxes. When
14 you give a property tax abatement for 30 years, the
15 burden goes onto the one- and two- and three-family
16 homes. That's extremely unfair and should be
17 considered in all your decisions. Thank you.

18 CHAIRPERSON LOUIS: Thank you. Counsel,
19 is there any other members of the public that wish to
20 testify?

21 COMMITTEE COUNSEL: Yes, Chair, we have
22 one member of the public.

23 CHAIRPERSON LOUIS: Delores Orr. Delores
24 Orr? Delores, if you can hear us, if you can unmute
25 yourself.

2 SERGEANT AT ARMS: You may begin.

3 CHAIRPERSON LOUIS: Delores, if you can
4 hear us?

5 DELORES ORR: Can you hear me now?

6 CHAIRPERSON LOUIS: We can.

7 DELORES ORR: Yes, okay, great.

8 CHAIRPERSON LOUIS: You may begin.

9 DELORES ORR: Thank you. My name is
10 Delores Orr. I'm a lifetime resident of [inaudible]
11 Rockaway, and I am currently the Chair of Community
12 Board 14. So, just quickly, we'll be sending a
13 letter. The Board did vote on this and we objected
14 to this project, not in the project itself, but the
15 fact that in 2022 we voted on a moratorium of no new
16 high-rise developments, because we don't have the
17 schools, we don't have the hospitals. We don't have
18 a route for evacuation. We're a flood zone one. And
19 for all those reasons we set a moratorium in 2022,
20 and we have not supported any high-rise development
21 since then. So, let me just-- specifically to this
22 location. It is a little-- oh, in the past nine
23 years we've already built 10,000 units on a small
24 peninsula. So, no one is thinking about that, and
25 this is a very nice project, but it's not one we can

2 support. There is one concerning issue. When we had
3 a meeting with the developer and the team, we had
4 asked for environmental concerns, and they were
5 unaware of the Inwood material terminal. It was not
6 part of their study. It's only two to three blocks
7 from where this is going to happen. This group, they
8 recycle asphalt, concrete, bricks and rocks, and they
9 use-- and it's actually in Nassau county. They're
10 actually operating without a permit right now, and
11 we're waiting to escape to do their evaluation on
12 that. NYCHA, the Red Fern Houses, are right across
13 the street.

14 SERGEANT AT ARMS: Thank you. Your time
15 expired.

16 DELORES ORR: And [inaudible] --

17 CHAIRPERSON LOUIS: [interposing] Thank
18 you, Delores.

19 DELORES ORR: the dust and health issues.
20 Thank you.

21 CHAIRPERSON LOUIS: Thank you.

22 DELORES ORR: [inaudible] writing,
23 because it's a lot more. Thank--

24 CHAIRPERSON LOUIS: Thank you, Delores.
25 And Delores, if you have anything else to add, please

2 submit your written testimony. Alright, if there are
3 any members of the public who wish to testify
4 regarding this proposal remotely, please press the
5 raise hand button now. If you are in-person, please
6 identify yourself to one of the Sergeant. Being
7 there are no members of the public who wish to
8 testify regarding LUs 28 and 29 relating to the 14-10
9 Beach Channel Drive residential rezoning proposal,
10 the public hearing is now closed and these items are
11 now laid over. I will now open the public hearing on
12 LUs 24, 25 and 26 regarding 78-08 Linden Boulevard
13 residential rezoning proposal in Lindenwood, Queens
14 in Council Member Ariola's district. The proposal
15 involves a zoning map and text amendment as well as
16 cancelling an existing restrictive declaration
17 recorded against the development site. Applicant is
18 seeking to build a mixed-use residential building
19 with approximately 264 apartments. Mandatory
20 Inclusionary Housing would be mapped as part of this
21 application. So, between 53 to 59 of the apartments
22 would be permanently affordable depending on the
23 affordability options selected. For anyone wishing
24 to testify regarding this proposal remotely, if you
25 have not already done so you must register online by

2 visiting the Council's website at
3 council.nyc.gov/landuse. For anyone with us in-
4 person, please see one of the Sergeant at Arms to
5 submit a speaker card. If you prefer to submit
6 written testimony, you can also do so by emailing it
7 to landusetestimony@council.nyc.gov. I now recognize
8 Council Member Ariola for remarks.

9 COUNCIL MEMBER ARIOLA: Thank you, Chair.
10 I really would like to say that I appreciate this
11 developer. This developer came to the community for
12 input prior to us getting to this point in the ULURP
13 process. When we see a developer that comes into a
14 district and they want to make community input,
15 Community Board input and work with us to make sure
16 that the development is beneficial to themselves, for
17 the community, for the future residents, to the
18 existing residents, and to be good neighbors. We've
19 worked hard to identify different aspects of this
20 development, and it would include a community
21 facility use that is really needed at this location,
22 and we appreciate how the applicants have responded
23 to the feedback of using a stacked model, because at
24 one point of the building on 79th Street there are
25 two-family homes and they're using the height and

2 bulk away from the 79th Street portion of the
3 development. So, I'll reserve my questions for
4 later, but we wholeheartedly support this project.

5 CHAIRPERSON LOUIS: Thank you, Council
6 Member. I will now call the applicant panel for this
7 proposal which consists of Lisa AR-- save me.

8 LISA ORRANTIA: Orrantia.

9 CHAIRPERSON LOUIS: Orrantia. I didn't
10 want to butcher your name. Frank Quatela, we've been
11 through this already. Steven Sinacori, alright, and
12 Danielle Drake [sp?]. Perfect. Counsel, please
13 administer that affirmation.

14 COMMITTEE COUNSEL: Good morning. Could
15 you please raise your right hand? Thank you. And
16 could you please restate your name?

17 FRANK QUATELA: Frank Quatela.

18 LISA ORRANTIA: Lisa Orrantia.

19 STEVEN SINACORI: Steven Sinacori.

20 DANIELLE DRAKE: Danielle Drake.

21 COMMITTEE COUNSEL: Thank you. Do you
22 swear to tell the truth and nothing but the truth in
23 your testimony this morning and in response to
24 Council Member questions?

25 LISA ORRANTIA: Yes.

2 FRANK QUATELA: Yes.

3 CHAIRPERSON LOUIS: Thank you. You may
4 begin your testimony which is limited to eight
5 minutes, and I will just ask you-- you don't need to
6 restate your name. Just go straight into the
7 project. Thank you.

8 LISA ORRANTIA: Thank you, Chair Louis,
9 and good afternoon members of the Subcommittee. 7808
10 Linden Boulevard-- next slide, please-- is in a
11 transitional area with higher density commercial and
12 residential buildings west of 79th Street and lower
13 density residences each of 79th Street. Next slide,
14 please. Current tenants of the one-story commercial
15 building rent month-to-month. Next slide. The site
16 is currently mapped in a low-density R4 district with
17 a C12 overlay, and we're proposing a medium density
18 R7D with a C24 overlay along Linden Boulevard with an
19 R6A at mid-block which is suitable for a spacious
20 intersection on a major roadway with access to public
21 transportation and outdoor recreation space and near
22 compatible R6, R7 and R8 districts to the west. The
23 new districts are also consistent with the Jewel
24 streets neighborhood plan, land use framework. We're
25 also proposing an MIH area for options one and two

2 and a modification of a 1976 restrictive declaration
3 to allow for as-of-right development. The proposed
4 actions would encourage the production of new
5 affordable homes and essential services, and that
6 respond to the surrounding transitional context.

7 Next slide, please. The proposed building design was
8 improved with community input resulting in a lowered
9 street wall and building height along 79th Street.

10 97 units of senior housing shown in yellow, among the
11 267 proposed total units, as well as space for two
12 community facilities. Next slide please. The
13 proposed six and 12-story buildings would contain
14 224,000 square feet of residential and community
15 facility floor area, 267 dwell units, including 97
16 senior units, and 86 residential parking spaces. It
17 would also incorporate sustainable and flood-
18 resilient design features. Next slide, please.

19 Parking access would be along the side streets with
20 entrances on Linden Boulevard and a residential
21 entrance on 79th Street. Next slide. All units
22 would be income-restricted. The applicant is an
23 experienced affordable housing developer, plans to
24 use HPD's new construction financing program with mix
25 income option to fund construction of apartments for

2 residents earning a range of affordability tiers.

3 And we'll work with HPD to set aside 30 percent of

4 residential floor area as permanently affordable to

5 comply with the term sheet requirements for MIH

6 Option Two. Next slide, please. Negative

7 declaration was issued with e-designations for

8 hazmat, air quality and noise. Next slide. HPD 10

9 recommended approval of the application with

10 conditions. The applicant has already revised the

11 design to include senior housing and shift bulk away

12 from two-story buildings on 79th Street and has

13 agreed to work with the community on specific use of

14 the community facility space. You can go forward two

15 slides, please. Next slide. Borough President--

16 Borough President recommended approval with

17 conditions that the developer set a minimum hiring

18 and contracting goal of 30 percent MWBE firms, local

19 residents and locally-based organizations with

20 quarterly reports to the Borough President and

21 Council Member for hiring initiatives until a hiring

22 goal is reached and to provide the Borough President

23 and Council Member with copies of the written CB10

24 commitments. Next slide, please. The land use

25 framework of the Jewel Streets Neighborhood Plan

2 identifies the development site as an area that is
3 appropriate for medium density development as a part
4 of a comprehensive strategy to encourage
5 redevelopment of under-utilized sites, invest in
6 affordable homes, and improve sidewalks and streets.
7 And that concludes presentation. Thank you.

8 CHAIRPERSON LOUIS: Thank you. A few
9 questions about this project. You mentioned that the
10 project will be an HPD-financed project that is 100
11 percent affordable. Did HPD give you a timeline for
12 closing on the financing?

13 LISA ORRANTIA: We're in the queue, but
14 we don't have a date yet.

15 CHAIRPERSON LOUIS: Alright. Do you have
16 an alternative plan if you cannot close in the next
17 couple of years?

18 FRANK QUATELA: This developer
19 predominantly develops affordable housing and is very
20 familiar with the HPD timelines. So, we're in the
21 queue. We intend to do this as 100 percent
22 affordable housing, and that's really the plan.

23 CHAIRPERSON LOUIS: Do you know who the
24 developer is and do they have intentions on market
25 rate, or is it completely affordable?

2 FRANK QUATELA: Completely affordable.

3 The developer is Radson [sp?] Development which has a
4 track record probably developing close to 2,000 units
5 with HPD. They've been developing affordable housing
6 since approximately 2005 in many different
7 iterations. So, that's really-- that's their
8 business, affordable housing. They don't develop
9 market rate.

10 CHAIRPERSON LOUIS: Alright. This
11 application includes a request to cancel a
12 restrictive declaration tied to the site. Can you
13 clarify the original purpose of that declaration and
14 why this project requires its termination for your
15 site.

16 LISA ORRANTIA: Sure. So, that
17 restrictive declaration was established in 1976 and
18 it was done so in connection with the initial mapping
19 of the overlay of the C12, and it was mapped-- and
20 the terms of the restrictive deck require no windows,
21 doors, or advertising facing 79th Street. So, the
22 proposed development doesn't include, you know, those
23 commercial features at this time. And the
24 modification of the RD would allow the development to
25 proceed as-of-right under the proposed designation.

2 CHAIRPERSON LOUIS: Thank you for that.

3 and how has the applicant evaluated traffic
4 circulation, pedestrian safety, and potential
5 congestion impacts, particularly at this already
6 complex intersection near South Conduit Avenue?7 LISA ORRANTIA: Right. Well, it is on a
8 wide street, approximately 170 feet wide, and we've
9 designed entrances to the parking garage on the side
10 streets.11 STEVEN SINACORI: There are two entrances
12 to the parking space, one from 79th and one from
13 Sapphire, and they're both two directional doors. So,
14 we're trying to alleviate the traffic off of Linden
15 and both from the lower density residential and the
16 heavy traffic on Linden. So, they have choice that--17 CHAIRPERSON LOUIS: [interposing] Choices
18 are good. Alright. I now recognize Council Member
19 Ariola for questions.20 COUNCIL MEMBER ARIOLA: Thank you so much
21 for the presentation. And you noted the Community
22 Boards conditions, our office's conditions, the
23 Borough President's conditions. Would there be a way
24 for you to commit to those in writing to us and to
25 the committee so that we have that on record?

2 FRANK QUATELA: Yes, we-- Council Member
3 Ariola, we're happy to put together a commitment
4 letter and send that to the committee as well as to
5 the Land Use staff.

6 COUNCIL MEMBER ARIOLA: Wonderful. Thank
7 you. And the adjacent project for Jewel Street was
8 mentioned. How would the project be affected if the
9 grade of the side streets were raised? Would there
10 be any impact?

11 LISA ORRANTIA: Well, the project will be
12 aligned with the Jewel Streets Plan. Ultimately, DOT
13 and DDC will determine the elevation of streets. A
14 builder's pavement plan will be submitted and
15 reviewed by DOT and DOB, and our design is flexible
16 enough to adjust to any adjusted grade levels along
17 those streets.

18 COUNCIL MEMBER ARIOLA: Wonderful. Thank
19 you. That's all the questions I have. Thank you,
20 Chair.

21 CHAIRPERSON LOUIS: Thank you, Council
22 Member. I now invite my colleagues to ask questions.
23 Anyone have questions? I now excuse this panel.
24 Thank you for making time.

2 FRANK QUATELA: Thank you, Council
3 Member.

4 CHAIRPERSON LOUIS: Counsel, are there
5 any members of the public who wish to testify
6 remotely or in-person regarding this proposal?

7 COMMITTEE COUNSEL: No, no one has signed
8 up remotely or in-person.

9 CHAIRPERSON LOUIS: If there any members
10 of the public who wish to testify regarding this
11 proposal remotely, please press the raise hand button
12 now or if you are in-person, please identify yourself
13 to the Sergeant. Being there are no members of the
14 public who wish to testify regarding LUs 24, 25 and
15 26 relating to the 78-08 Linden Boulevard residential
16 rezoning proposal, the public hearing is now closed,
17 and these items are now laid over. I will now open
18 the public hearing on LUs 22 and 23 regarding the 63-
19 12 Broadway residential proposal in Woodside, Queens
20 in Council Member Won's district. The proposal
21 involves a zoning map and text amendment. Applicant
22 is seeking to build a residential building with
23 approximately 67 apartments. Mandatory Inclusionary
24 Housing would be mapped as part of this application.
25 So, between 30 to 20 of the apartments would be

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2 permanently affordable depending on the affordability
3 option selected. For anyone wishing to testify
4 regarding this proposal remotely. If you have not
5 already done so, you must register online by visiting
6 council's website at council.nyc.gov/landuse. For
7 anyone with us in-person, please see one of the
8 Sergeant at Arms to submit a speaker card. If you
9 would prefer to submit written testimony, you can
10 always do so by emailing to

11 landusetestimony@council.nyc.gov. I now recognize
12 Council Member Won for remarks. Alright, we're going
13 to move forward. I will now call the applicant panel
14 for this proposal which consists of Richard Lobel.
15 Council, please administer the affirmation.

16 COMMITTEE COUNSEL: We're now going to
17 switch to the afternoon. So, good afternoon. We
18 have one more person coming up. Thank you. Could
19 you please state your name for the record?

20 RICHARD LOBEL: Richard Lobel of Sheldon
21 Lobel.

22 FAYANNE BETAN: Fayanne Betan, Sheldon
23 Lobel

24 COMMITTEE COUNSEL: Thank you. Please
25 raise your right hand. Do you swear to say nothing

2 but the truth in your testimony and in your response
3 to Council Member questions?

4 RICHARD LOBEL: I do.

5 FAYANNE BETAN: I do.

6 COMMITTEE COUNSEL: Thank you.

7 CHAIRPERSON LOUIS: You may now begin
8 your testimony which is limited to eight minutes.
9 You may begin.

10 RICHARD LOBEL: Thank you, Chair Louis,
11 Committee Members, Subcommittee Members. Richard
12 Lobel of Sheldon Lobel. I'm joined by Fayanne Betan
13 from my office. We're here today for the 6312
14 Broadway rezoning which we hope to gain the Council
15 support in the rezoning which has the support of
16 Community Board Two, 29 to one vote in favor, because
17 they saw the merit of this rezoning as well as the
18 Queens Borough President and City Planning. So, the
19 next page has the project description. This is a
20 proposed zoning map amendment to allow for a change
21 from an existing R5C22 to an R7AC24 and R5C22 to
22 R5C24. So, we'll go over the map, but basically it
23 would allow for a rezoning of the front portion where
24 the C24 and the rear portion with the change of the
25 underlying residential towards the front portion of

2 the rezoning. In addition to that, and if you want
3 to change the slide to the next slide there's the
4 project description. There's a, of course, a text
5 amendment to allow for Mandatory Inclusionary Housing
6 at this site. This would allow for redevelopment of
7 the site with an approximately 55,000 square foot
8 building on lot 58. This would include roughly 67
9 dwelling units, and depending on the affordability
10 levels, 22 at MIH Option Two, although that is
11 obviously subject to the decision in terms of the
12 options. Community Board Two like I mentioned voted
13 unanimously in favor, except for that one guy. The
14 next slide is a zoning map. The zoning map
15 importantly has been unchanged in this block since
16 1961. Again, dating back over 60 years we've got an
17 R5 district with a C22 overlay. So, again, this
18 property even more so than other applications we've
19 brought to the Council, this property is located
20 literally adjacent to less than a block from the MNR
21 lines on the subway. So, you've got a site, roughly
22 11,000 square feet built with 7,700 square foot of
23 commercial and sitting along a wide street in terms
24 of an 80-foot wide street on Broadway. This is a
25 great example of a potentially beneficial development

2 for transit-oriented development and the Community
3 Board recognized that. I think that's why we got
4 their strong support. The next slide shows the map
5 and zoning change map in terms of the tax map. You
6 can see the site itself highlighted in red adjacent
7 to that. Five lots along Broadway which would also
8 benefit from the R7A zoning and then beyond that to
9 the rear, the C22 district will be changed to a C24
10 district. This is at the request and upon
11 consultation with City Planning which wants to update
12 these districts to reflect kind of modern traffic
13 parking requirements and such. The next slide is the
14 area map which I think tells the story well in terms
15 of the site and why it would be such a benefit to
16 rezone the site. You got a site with a immediate
17 five-story buildings to the east. The site itself
18 located again on Broadway. Great site access in
19 terms of both 64th and 63rd Streets, and
20 transportation abounds in the area inclusive of bus
21 transportation within the immediate area. Just a
22 great site in terms of a potential rezoning with no
23 residential displacement on our site. There's no
24 residences on our lot itself. The next several
25 slides show you pictures of the site itself. Again,

2 low-lying one-story commercial uses. I would note
3 perhaps in anticipation of questions that our owner
4 has a good relationship with his commercial tenants
5 and asked them to come back after the proposed
6 development is effectuated, inclusive of some medical
7 office, local doctors. He, himself, is a doctor and
8 has a relationship with those medical offices. So,
9 we'll be looking forward to that. The next several
10 slides if you want to fast forward to the site map in
11 terms of the plans. There you go. So, there's the
12 zoning calculations, and the next slide shows the
13 site plan with the front portion of the building, a
14 nine-story with cellar, one-story commercial portion
15 in the back. Given that we're in the transit zone
16 and that we've got that immediate subway access,
17 there's no parking provided for the site. Our
18 Community Board knew this and was supportive of that.
19 although, we would of course include bike parking,
20 roughly 23 bike parking spaces. And then the
21 remaining plans the next slide shows the first floor
22 and cellar and commercial uses. And then residential
23 uses above, and the residential units numbering 67
24 would be primarily one's, two's, and three's with
25 roughly 37 percent or over a third of those units at

2 two and three bedrooms. So, we did a get nice unit
3 count and a nice breakdown in terms of the family-
4 sized units. So, you know, in conclusion, we've got
5 a really well-supported application here, one which
6 takes advantage of an existing underbuilt site and
7 would allow for productive development. We're just
8 excited to move forward, and we'd be happy to answer
9 any questions.

10 CHAIRPERSON LOUIS: Thank you. I have a
11 couple of questions. How did you arrive at the unit
12 mix for this project? Could you provide two or three
13 bedrooms to the project?

14 RICHARD LOBEL: Yeah, so the unit mix is
15 no studios, 42 one-bedrooms, and then 23 two's, and
16 two three's. So, 25 out of those 67 units are two's
17 and three's. You know, this-- we feel that the
18 square footage per unit is fairly generous, and the
19 applicant here really tried to stay away from studios
20 and tried to weight the development more heavily
21 towards two's and three's. So, again, I think we
22 were successful in doing that. And you know, we
23 understand the needs of the area. We were able to
24 get that really nice two-bedroom count of 23 units,
25 which is over a third of the development.

2 CHAIRPERSON LOUIS: Could you further
3 share with us your selection of MIH options and why
4 does it not include Option Three?

5 RICHARD LOBEL: Sure. So, this is a
6 conversation we've had offline with the Council
7 Member, Council Member's office and Council Land Use
8 staff. The applicant here wanted to use Option Two,
9 basically just in terms of financing for the site as
10 well as the availability of other options in the
11 area. Since that time, given the discussions with
12 Council Member Won's office, we have consulted with
13 firms that are responsible for securing construction
14 financing and have actually run the numbers in a
15 meaningful way in order to determine how this
16 development would work. In doing so, we determined
17 that Option Two provide a opportunity to finance the
18 application development. Option One would just allow
19 for project financing and the numbers that they went
20 through with us were that the permanent financing has
21 to be able to take out the construction financing.
22 There needs to be a demonstrated return in the
23 permanent financing that would allow them to take out
24 the construction loan. Option Two allows that
25 comfortably. Sorry, Option Two allows that

2 comfortably; Option One close, but is also
3 acceptable. Option Three results in a negative return
4 such that we wouldn't be able to take out the
5 construction financing. So, sadly, for Option Two at
6 this site, or for Option Three at this site, the
7 numbers do not work out in order to obtain financing
8 to build the project. We have done and our office is
9 proud to have done developments with Option Two-- I'm
10 sorry, with Option Three, deep affordability, most
11 specifically along Atlantic Avenue in Brooklyn in
12 Community Board Eight. And so I don't think it's a
13 matter of the inability of the developer to consider
14 that. I think it's more that he wants to build this
15 project here, and to do that, Option Two was the
16 strongest option. Option One, perhaps would allow
17 for that, but Option Three would I think prevent the
18 development from going forward.

19 CHAIRPERSON LOUIS: Thank you for your
20 honesty. I now invite my colleagues if they have any
21 questions. Alright. Counsel, are there any members
22 of the public who wish to testify remotely or in-
23 person regarding this proposal? Oh, sorry, this
24 panel is now excused.

25 RICHARD LOBEL: Thank you, Chair.

2 COMMITTEE COUNSEL: No, Chair, there's no
3 one that signed up in person or online for this
4 application.

5 CHAIRPERSON LOUIS: Thank you. If there
6 are no members of the public who wish testify
7 regarding this proposal remotely, please press the
8 raise hand button now. If you are in-person, please
9 identify yourself to one of the Sergeants. Seeing
10 none. No members of the public who wish to testify
11 regarding LUs 22, 23 relating to 63-12 Broadway
12 residential rezoning proposal, the public hearing is
13 now closed, and these items are now laid over. I
14 know open the public hearing for LUs numbers 27
15 regarding the 247-56 90th Avenue residential rezoning
16 proposal in Bellerose, Queens in Council Member Lee's
17 district. The proposal involves a zoning map
18 amendment to build a two-family home on an existing
19 zoning lot. For anyone wishing to testify regarding
20 this proposal remotely, if you have not already done
21 so, you must register online by visiting the
22 Council's website at council.nyc.gov/landuse. For
23 anyone with us in-person, please see one of the
24 Sergeants to submit a speaker card. If you would
25 prefer to submit written testimony, you always do so

2 by emailing it to landusetestimony@council.nyc.gov. I
3 will now call-- okay. I will now call the applicant
4 panel for this proposal which consists of Todd Dale
5 [sp?]. Frank St. Jacques-- nope. One moment.

6 COMMITTEE COUNSEL: Do we have an
7 applicant in the room for this project?

8 CHAIRPERSON LOUIS: Todd Dale, are you
9 online?

10 SERGEANT AT ARMS: You may begin.

11 TODD DALE: Hi, good afternoon.

12 CHAIRPERSON LOUIS: Good afternoon. You
13 may begin. Oh, wait, sorry. I will now call the
14 applicant-- sorry. We got thrown off a little bit.
15 I will now call the Counsel to administer the
16 affirmation.

17 COMMITTEE COUNSEL: Thank you, Chair.
18 Can you please raise your right hand, and state your
19 name for the record.

20 TODD DALE: My name is Todd Dale.

21 COMMITTEE COUNSEL: Do you swear to tell
22 the truth and nothing but the truth in your testimony
23 this afternoon and in response to Council Member
24 questions?

25 TODD DALE: I do so affirm.

2 COMMITTEE COUNSEL: Thank you.

3 CHAIRPERSON LOUIS: Thank you, Todd. You
4 may now begin your testimony which is limited to
5 eight minutes. You may begin.6 TODD DALE: Great. Thank you, Chair, and
7 members of the Committee. This application seeks a
8 zoning map amendment that would change an R41
9 district to an R4 district within block 8662 in the
10 Bellerose neighborhood of Queens on an area that's
11 located along the south side of 90th Avenue near
12 Commonwealth Boulevard. Next slide, please. This
13 amendment would enable the development of vacant lot
14 31 in the subject block with a new two-family
15 dwelling on a single zoning lot on adjacent lot 30.
16 Lots 30 and 31 that are the development site are
17 approximately 4,100 square feet in area, and they're
18 currently developed with a single two-story
19 residential building. Next slide, please. As noted,
20 this site's located along 90th Avenue near
21 Commonwealth Boulevard in Queens Community District
22 13. Immediately south of the area is Jericho
23 Turnpike in the boundary between Queens and Nassau
24 County. 90th Avenue is a narrow local street only 50
25 feet wide and Commonwealth Boulevard is a wide

2 north/south neighborhood arterial. Next slide,
3 please. The surrounding area is-- exhibits a mix of
4 developments and different uses, predominantly
5 residential uses to the north which is actually at
6 the bottom of this slide and commercial uses to the
7 south along Jericho Turnpike. Next slide, please.

8 And then one more slide, please. And one more slide.
9 Thank you. I'll show this area. So, this area, it's
10 currently zoned R41 and R4 with a C13 commercial
11 overlay. It was zoned R4 at the inception of the
12 1961 zoning resolution, but then in August 1991, a
13 rezoning occurred, the Bellerose rezoning, and the
14 area was amended to be this current split district
15 condition. And it was amended to an R4 to R41. Next
16 slide, please. This more clearly shows the boundary
17 when it was rezoned ran along the middle portion of
18 the block creating the split district in this
19 particular subject block. The proposed action would
20 seek an amendment from R41 to R4 that would include
21 the development site as lots to the east and the west
22 that are currently developed. The proposed zoning
23 map amendment would basically relocate the southern
24 boundary of the R41 district to the center line of
25 90th Avenue, and it would remove the split district

2 condition affecting the block and the development
3 site, and allow for the proposed development. The
4 proposed action would enable the development of lot
5 31's currently vacant with a new two-family dwelling
6 on a shared zoning lot with lot 30. The new building
7 would be a two-story, two-family building,
8 approximately 1,500 square feet, and with the
9 existing home on the zoning lot, approximately 3,200
10 square feet. Essentially, this action just seeks to
11 shift the line on the block to create and remove the
12 existing split zoning district so that it would
13 entirely be consistent with zoning and allow for the
14 proposed development. That is this particular
15 action. I'm happy to answer any questions about what
16 I said or any of the presentation slides.

17 CHAIRPERSON LOUIS: Thank you. I only
18 have one question about this proposal. You are
19 proposing to build a new two-family home attached to
20 the existing one you own. Are there many attached
21 homes on this block and the surrounding area?

22 TODD DALE: There are, and actually-- I'm
23 sorry we have to-- the slide closed down, but if you
24 look at the original photograph you'll see that
25 actually immediately adjacent there's attached homes

2 both to the east and the west on 90th Avenue, and
3 across the street is characterized by attached homes
4 also. So, this would actually be fully in character
5 with all of the residential development along 90th
6 Avenue.

7 CHAIRPERSON LOUIS: Thank you. I now
8 invite my colleagues to ask questions. Alright. If
9 there are any members of the public who wish to
10 testify regarding this proposal remotely, please
11 press the raise hand button now. If you are in-
12 person, please identify yourself to one of the
13 Sergeants. Being there are no members of the public
14 who wish to testify regarding Pre-considered LUs
15 relating to 247-56 90th Avenue residential rezoning
16 proposal, the public hearing is now closed. The
17 items are laid over, and Todd, you are excused.

18 TODD DALE: Alright. Thank you for your
19 time and welcome to Chairship of the committee.

20 CHAIRPERSON LOUIS: Thank you. I will
21 now open the public hearing on LUs 20 and 21
22 regarding the 217-14 24th Ave. residential rezoning
23 proposal in Bay Terrace, Queens in Council Member
24 Paladino's district. The proposal involves a zoning
25 map and text amendment. Applicant is seeking to

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 80

2 build a residential building with approximately 255
3 apartments. Mandatory Inclusionary Housing would be
4 mapped as part of this application. So, between 51
5 to 77 of the apartments would be permanently
6 affordable depending on the affordability option
7 selected. If anyone wishing to testify regarding
8 this proposal remotely, if you have not already done
9 so, you must register online by visiting Council's
10 website at council.nyc.gov/landuse. For anyone with
11 us in person, please see one of our Sergeant at Arms
12 to submit a speaker card. If you would prefer to
13 submit written testimony, you can always do by
14 emailing landusetestimony@council.nyc.gov. Council
15 Member Paladino couldn't be with us today. I will
16 now call the applicant panel for the proposal which
17 consists of Frank St. Jacques, Scott Barone, alright,
18 and Andrew Esposito. Got it. Counsel, please
19 administer the affirmation.

20 COMMITTEE COUNSEL: Good afternoon.
21 Could you please raise your right hand and state your
22 name for the record.

23 FRANK ST. JACQUES: Frank St. Jacques,
24 Akerman LLP.

2 SCOTT BARONE: Scott Barone, Barone
3 Management.

4 ANDREW ESPOSITO: And Andrew Esposito,
5 APEX Development.

6 COMMITTEE COUNSEL: Thank you. Welcome
7 back. You have to keep your hands raised. Do you
8 swear to tell the truth and nothing but the truth in
9 your testimony this afternoon and in response to
10 Council Member questions?

11 FRANK ST. JACQUES: I do.

12 SCOTT BARONE: Yes.

13 ANDREW ESPOSITO: I do.

14 COMMITTEE COUNSEL: Thank you.

15 CHAIRPERSON LOUIS: Thank you. You may
16 now begin your testimony which is limited to eight
17 minutes. You may begin.

18 FRANK ST. JACQUES: Thank you. Frank St.
19 Jacques, Akerman LLP for the applicant. I'm joined
20 with members of the applicant team. Next slide,
21 please. The site is located in R12 zoning district.
22 It was initially mapped R2 in 1961 and changed to R12
23 in the Bayside Rezoning in 2005. The baseline
24 rezoning eliminated several zoning districts that
25 permitted multi-family development, effectively

2 limiting new housing production except for one and
3 two-family homes in the area. There are R5 and C41
4 R5 equivalent districts mapped to the north and
5 northwest of the site. Next slide, please. Zooming
6 in a bit on this land use map you can see that the
7 site is located on the south side of 24th Avenue
8 where it terminates just east of the intersection
9 with Waters Edge Drive on the north side of 24th
10 Avenue. Any maps for unbuilt portion of Little Neck
11 Boulevard to the south. The site is within Community
12 District 11, and the boundary with Community District
13 Seven runs along 24th Avenue. So, essentially
14 everything north of 24th Avenue is in Community
15 District Seven, and then the site and the area to the
16 south is within Community District 11. The site is a
17 single tax lot that measure approximately 55,000
18 square feet. It's corner and interior lot. Next
19 slide, please. So, the site is shown here in this
20 aerial view and in the next few slides. It's been
21 used as the Bay Terrace Country Club, a membership
22 based private club that has been on the site for
23 approximately 60 years which operated through the
24 2025 summer season. Oh, you can go ahead to that--
25 let's go back one slide. Thank you. So, this is,

2 again, another aerial view looking to the northwest,
3 and you can see how the site is situated between the
4 lower density context to the south in Community
5 District 11, again, the area south of 24th Avenue and
6 the multifamily contacts to the north in Community
7 District Seven. The site faces open space. There is
8 a planned park to the north, and to the east there's
9 the Crossland Parkway and the bay just a little bit
10 farther east. Next slide, please. There's a clear
11 need for new housing and affordable housing in this
12 area, and we submit that this rezoning presents an
13 opportunity to meet that need. I'll also note that
14 Community District 11 has the highest population of
15 Queens residents age 65 and older, and the third
16 highest in the city. Next slide, please. We're
17 proposing two land use actions, a zoning map
18 amendment to change the underlying R12 zoning
19 district to an R6A contextual zoning district, and a
20 zoning text amendment to establish Mandatory
21 Inclusionary Housing area. Next slide, please. So,
22 this slide demonstrates what the proposed zoning map
23 amendment would look like. On the left-hand side of
24 the screen is the existing R12 zoning and you can see
25 that the rezoning area is shaded and that the site is

2 outlined. The proposed rezoning if approved would
3 change the-- that existing R12 to R6A as shown on the
4 right-hand side of the screen. Next slide, please.
5 The proposed land use actions would facilitate the
6 redevelopment of the site with an eight-story mixed-
7 use building, approximately 217,000 square feet of
8 floor area, 160,000 of which would be residential.
9 There would be 183 total apartments in the building,
10 split between both market rate and permanently
11 affordable MIH units. So, 128 of the units would be
12 market-rate, 55 would be again permanently affordable
13 under MIH. We've selected Option Two, and I'll show
14 you what that breakdown looks like in a moment.
15 Approximately 56,000 square feet of the proposed
16 building would be for a senior assisted living
17 facility with 65 units. That would be on the second
18 floor with senior amenity space on the ground floor.
19 The cellar would contain parking. There's an 86-
20 space parking garage in the cellar. In addition to
21 other sustainability features, the building would be
22 entirely electric and it would also be built pursuant
23 to flood rezoning construction by virtue of the site
24 being within the flood zone. Next slide, please.
25 Just run through these next slides quickly. I know

2 I'm running close to time, and I'll note on this
3 illustrative site plan that north is on the top of
4 the screen. The building is an essential u-shaped
5 taking into account that cul-de-sac of 24th Avenue on
6 the bottom of the screen or the north of the site.
7 And it is set back from the southern and eastern lot
8 lines. So, again, the top and left-hand side of the
9 screen by 30 feet on either of those block lines,
10 creating separation between the lower density context
11 to the south and the proposed new building. Next
12 slide, please. Here again we're showing the site
13 differentiating between the lower density context and
14 the R12 to the south, essentially all single-family
15 homes, and the more multi-family mix context to the
16 north in the R5 and R5 equivalent. There's a large
17 shopping center, several multi-family buildings. The
18 proposed illustrative massing of the proposed
19 building is shown here, also note that the park is
20 proposed for directly to the north and there's a new
21 public school proposed directly to the northwest of
22 the site. Next slide, please. MIH Option Two
23 requires 30 percent of the residential floor area at
24 a weighted average of 80 percent of the area median
25 income. These units would be permanently affordable,

2 and then subject to HPD approval we're showing 55
3 total MIH units with the breakdown shown on the
4 screen. Running short on time, so if you could
5 advance to the next slide, and I'll be happy to
6 answer any questions.

7 CHAIRPERSON LOUIS: We could give you
8 another minute to add to that.

9 FRANK ST. JACQUES: Actually, I misread
10 my presentation. So, that concludes my presentation.
11 Thank you.

12 CHAIRPERSON LOUIS: You did well. Thank
13 you. I have a few quick questions. This site is
14 currently occupied by a private swimming pool club.
15 Will this development be providing a similar
16 community facility, because we didn't see that in the
17 presentation?

18 FRANK ST. JACQUES: No, this-- the
19 community facility component of this project is the
20 senior assisted living facility. So, the existing
21 private pool club will no longer be active at the
22 site.

23 CHAIRPERSON LOUIS: Okay.

24 FRANK ST. JACQUES: It'll be replaced.

2 SCOTT BARONE: Share on that? I just
3 want to make a statement for the record which is
4 important. That pool club was entered into a
5 bankruptcy proceeding in 2018. It's been diminishing
6 and closing down ever since. This was there past
7 summer, and that's how we got involved as the
8 applicant to try to re-envision this development.

9 CHAIRPERSON LOUIS: Thank you. Could you
10 please explain why you're requesting MIH Option Two
11 rather than One?

12 FRANK ST. JACQUES: Sure. Just-- grab my
13 notes. With respect to adjacent income levels-- bear
14 with me one moment where I find it in my notes. It's
15 really consistent with some of the incomes we see in
16 the surrounding area. Bear with me one moment. At
17 the outset, MIH Option Two provides more affordable
18 units and I'll note that the-- it's in line with a
19 census track 997.03 where the median household income
20 is \$116,000. That's the census track it's contained
21 within. The adjacent census track, 1093 to the south
22 has a median household income of \$139,000, and the
23 adjacent census track in the southwest 997.04 has a
24 median household income of \$95,000. So, the
25 preference here was to provide more units at income

2 levels that were a little bit more comparable to the
3 immediate surrounding area.

4 CHAIRPERSON LOUIS: Thank you. Do any of
5 my colleagues have questions?

6 FRANK ST. JACQUES: And Chair Louis, if I
7 could just add to that. We have mapped both MIH
8 Options One and Two which-- proceeding with Option
9 Two.

10 CHAIRPERSON LOUIS: Thank you. Council
11 Member Encarnacion? Council Member Thomas-Henry.

12 COUNCIL MEMBER THOMAS-HENRY: Thank you.
13 Just a little more clarity on the 65 units for senior
14 long-term care. What are the rates of those units
15 and just a little more detail about what will be
16 provided?

17 FRANK ST. JACQUES: Sure. So, this would
18 be a-- according to zoning, a senior assisted living
19 facility. Essentially, would be required to serve
20 seniors. There's a mix of-- and I don't think I have
21 it on the screen anymore-- a mix of 20 studios and 45
22 one-bedroom units to accommodate singles and older
23 senior couples or those that require a larger
24 bedroom. A long-term care facility operator has not
25 been selected, but we anticipate beginning at that

2 search if this project is approved in the ULURP
3 process. So, at this point, we don't have any
4 further details as it relates to rents, the types of
5 amenities, but we anticipate because there's a need,
6 I think there's a relatively small world of
7 operators. You know, we anticipate choosing from one
8 of those operators.

9 COUNCIL MEMBER THOMAS-HENRY: And would
10 those be incorporated into the overall development,
11 or are they on a specific level, or what--

12 FRANK ST. JACQUES: [interposing] So,
13 there's a separation that's required. Essentially,
14 that would be the ground and first floor--

15 COUNCIL MEMBER THOMAS-HENRY:
16 [interposing] Okay.

17 FRANK ST. JACQUES: for that-- again,
18 what's considered community facility space. It's
19 entirely separated, although housed within the same
20 building from the residential units above.

21 COUNCIL MEMBER THOMAS-HENRY: Thank you.

22 FRANK ST. JACQUES: Thank you.

23 CHAIRPERSON LOUIS: Council Member
24 Encarnacion?

2 COUNCIL MEMBER ENCARNACION: Do you have
3 the square footage for the studios and one-bedrooms
4 for the seniors?

5 FRANK ST. JACQUES: Off-hand, I don't,
6 but I'm-- I can certainly provide that to staff and
7 make sure that you get that.

8 COUNCIL MEMBER ENCARNACION: Thank you.

9 CHAIRPERSON LOUIS: Thank you, Council
10 Member. This panel is now excused. Thank you for
11 being here.

12 FRANK ST. JACQUES: Thank you.

13 CHAIRPERSON LOUIS: Counsel, are there
14 any members of the public who wish to testify
15 remotely or in-person regarding this proposal?

16 COMMITTEE COUNSEL: We do, Chair. To
17 separate from the prior seven hearings you've done.
18 Good job. So, we have five people here in-person,
19 and then we have also eight people signed up online.
20 We are going to start with the people who are here
21 online. Sorry, in-person.

22 CHAIRPERSON LOUIS: Alright. For members
23 of the public here to testify, please note that
24 witnesses will generally be called in panels of
25 three. If you are a member of the public signed up

2 to testify, please standby when you hear your name
3 being called and prepare to speak when I indicate
4 that you may begin. Please also note that once all
5 panelists in your group have completed their
6 testimony if remote, you will be removed from the
7 meeting as a group, and the next group of speakers
8 will be introduced. Once removed, participants may
9 continue to view the livestream podcast of this
10 hearing on the council website. Members of the
11 public will begin-- will be given two minutes to
12 speak. Please do not begin until the Sergeant at
13 Arms has started the clock. The following
14 individuals who signed up to testify should now come
15 to the witness table. We will start with Sylvia
16 Johnson, James Colasante, and Leo Marileno [sp?].
17 Sylvia, you may begin.

18 SYLVIA JOHNSON: This dead-end [sic]
19 intersection cannot safely handle the traffic which
20 would be created by buses, ambulances, and emergency
21 vehicles and resident traffic. The property is in a
22 flood zone, and strong rainstorms create heavy
23 flooding which damage cars and will inhibit emergency
24 vehicles from reaching the assisted living facility.
25 The property is built over wetlands and was

2 originally a swamp. This corner is adjacent to the
3 aforementioned school construction, a New York City
4 park and above sewer pumping station. The dynamics
5 of this proposed construction to this corner will be
6 overwhelming to the neighborhood. There is already
7 limited existing parking without the addition of 572-
8 student school plus additional teachers,
9 administrative staff, and park attendees. Where will
10 they park? Public transportation is five blocks away
11 which need to be navigated in all forms of weather.
12 School bus District 75 transportation, vehicles,
13 parent drop-off, pick-up will create severe
14 congestion and difficulty for neighbors to maneuver
15 to and from their homes, and ultimately and as
16 important as the safety of the children, assisted
17 living patients and residents immediately adjacent to
18 the space needed-- needing emergency assistance. The
19 property in question is an R1 for one family attached
20 homes which maintains integrity of the immediate
21 neighborhood. Three large projects thrust upon us on
22 a small narrow residential street is too much. This
23 overdevelopment will be burdensome to the community
24 and a poor location for an eight-story facility which
25 will not provide affordable housing and just create

2 enormous congestion. To raise the zoning from R1 to
3 R6 is an insult to the community and absurd increase
4 to proposed. Hundreds of people who signed my
5 petitions and over 500 attendees who came to the
6 Community Board 11 general meeting to show their
7 opposition to this upzoning were-- came in
8 opposition. Please vote no.

9 CHAIRPERSON LOUIS: Thank you, Sylvia.
10 I'll now call on-- see you made it before the bell.
11 Alright. I now call on James Colasante.

12 JAMES COLASANTE: I'm speaking on behalf
13 of the Bayside Gables Homeowners Association and the
14 homeowners on 24th Avenue. I resided in Bayside for
15 60 years, 48 of those years in the historical Bayside
16 community. Along with our adjoining names on 24th
17 avenue, we've enjoyed the opportunity living in
18 single-family homes in a suburban setting for almost
19 a century. The introduction of a multi-family
20 building on a posted stamp size piece of property
21 within our community will be extremely injurious, not
22 only as a contextual zoning issue, but also it will
23 create a serious collapse in the surrounding
24 environmental infrastructure. 24th Avenue is a dead-
25 end street lying in a high-water flood zone. The

2 easterly portion of the property is bounded by
3 dedicated wetlands. The environmental study done by
4 the developer was flawed when they used a 2010 study.
5 The water table has risen precipitously since then.
6 The pile driving done for the adjacent new school
7 attests to the existing weak and unstable conditions
8 in the area. The present sewer system cannot handle
9 the volume of water. Now it will only be exacerbated
10 by the additional buildings. In the last four years,
11 there were two serious storms that caused flooding to
12 parking lots. Cars were destroyed, basements flooded
13 and toilets overflowed. This did and will happen
14 again. Between the school and the apartment building
15 will be a shortage of almost 100 parking spaces.
16 Where will all the cars park? The traffic light at
17 24th Avenue and Bell Boulevard controls the flow of
18 traffic from the Bay Terrace shopping center, Bell
19 Boulevard, and 24th Avenue. Traffic exiting 24th
20 Avenue will be insurmountable and a nightmare. The
21 proposed building is only 30 feet away from the
22 existing homes, and the sky [inaudible] exposure will
23 tower over them like a giant cloud that never goes
24 away. This is not a [inaudible] issue. This is
25 factual issues that should not be ignored. The

2 quality of life of our residents and surrounding
3 buildings will be impacted for generations to come,
4 and if approved, there's no turning back. This
5 project is ill-conceived and our elected officials
6 have no confunction [sic] to reject it outright. We
7 ask our Councilwoman Vicki Paladino and her fellow
8 Council Members to vote no to save our community and
9 way of life.

10 CHAIRPERSON LOUIS: Thank you.

11 JAMES COLASANTE: I thank you.

12 CHAIRPERSON LOUIS: Thank you. Leo?

13 LEO MARINELLO: Hi. My name is Leo
14 Marinello. I've lived in Bayside for 60 years.
15 First, this is not a NYMBY [sic] thing. This project
16 has nothing to do with affordable housing. The
17 motivation for the project is pure profit without any
18 regard for the concerns of the community. If this
19 unthinkable upzoning is approved, it will set a
20 terrible precedent, sanctioning rampant and
21 unrestrained overdevelopment that will be replicated
22 throughout Bayside and beyond. I'm not an activist,
23 but I was reminded in church a couple of months ago
24 that sometimes inaction is a sin. So, I made up a
25 flyer before the Community Board hearing, went door

2 to door in a mile and a half radius, stood outside
3 the shopping center to speak to the community members
4 face to face, and I spoke to hundreds and hundreds of
5 people, and I can honestly tell you I have not met a
6 single person who is in favor of this project, and
7 that I can attest without reservation that there is
8 bipartisan unity in the community against this
9 project. There's a Greek proverb that says, "A
10 society goes great when old men plant trees whose
11 shade they know they will never sit in." Because
12 this is about the future. This is about the future.
13 Okay? And is-- sometimes preservation is the most
14 potent form of progress, and it is like the Jewish
15 tradition of Tikkun Olam which means to repair the
16 world. And New York City and our communities is our
17 little corner of the world, and although we certainly
18 do not have to agree on everything, I hope that we
19 can all agree that each of us as neighbors and as New
20 Yorkers have an obligation to repair, nurture,
21 protect, and preserve our communities and our city
22 for future generations of New Yorkers coming from
23 places near and far whom we continue to welcome and
24 who will be here long after all of us are gone, and
25 for those reasons, I'm asking the City Council to

2 vote against this project and in particular our
3 Councilwoman Paladino to stand with the community
4 against this project and to fulfill her promise made
5 in public and on the record at the Community Board 11
6 meeting where she said she would vote against this
7 project. I thank you.

8 CHAIRPERSON LOUIS: Thank you, Leo.

9 LEO MARINELLO: God bless you all, and
10 God bless the City of New York.

11 CHAIRPERSON LOUIS: Thank you--

12 LEO MARINELLO: [interposing] Thank you.

13 CHAIRPERSON LOUIS: for your testimony.
14 Are there any members-- are there any Council Members
15 with questions for this panel? Council Member
16 Thomas-Henry.

17 COUNCIL MEMBER THOMAS-HENRY: Thank you.

18 So, as a resident of Queens, and I do frequent the
19 shopping center over there, so I'm just trying to
20 orient myself to this particular parcel. So, if
21 we're at the shopping center, I do know there's a
22 couple of high rises over there. So, is the main
23 concern is the traffic or the infrastructure of this
24 particular site? It sounds like all three are
25 members--

2 CHAIRPERSON LOUIS: It's for the whole
3 panel. So, yeah, anyone can answer.

4 COUNCIL MEMBER THOMAS-HENRY: [inaudible]

5 SYLVIA JOHNSON: [inaudible] across from
6 the shopping center-- across from the shopping center
7 is-- at that light is 24th Avenue. If you travel
8 down that street, that street is so narrow it only
9 has parking on one side. When you get to the end,
10 it's five blocks down. It's a dead-end and that's
11 where the pool club was. They're building-- adjacent
12 corner, they're building a school, 570 unit-- 577
13 student school with District 75. So, that means
14 there's going to be not only the buses from
15 Whitestone, Beachurst [sp?], and College Point being
16 bussed into this narrow street, and then the-- where
17 the left turn is is the school. There's-- if you
18 have assisted living, there's going to be ambulances
19 and it's in a flood zone over a sewer pumping station
20 with really actually no parking now. There's-- I
21 think they've allotted 60 underground parking spots
22 for the building, but there's 183 units. So, people
23 will have to park on the street, and we don't know
24 where. The teachers and administrative staff of the
25 school are going to need to park somewhere, but

2 people don't have parking now. The park is going
3 need people-- a place for people to go there and
4 park. We don't know where. So, it's a dead end.
5 It's a flood zone. The building that's adjacent to
6 the school, the-- and our parking lot-- my co-op is
7 adjacent to where the school's being built which is
8 across the street from where this unit is. And the--
9 we had-- when heavy storms that the street that's
10 adjacent flooded terribly. The building next door,
11 the cars were all damaged in the underground parking
12 lot which is as I said adjacent to the school. It's
13 just-- it's just a poor place--

14 COUNCIL MEMBER THOMAS-HENRY:

15 [interposing] Thank you.

16 SYLVIA JOHNSON: for a building of this
17 size, and in a one-family zone.

18 CHAIRPERSON LOUIS: Thank-- Council
19 Member, does that answer your question.

20 JAMES COLASANTE: [inaudible]

21 CHAIRPERSON LOUIS: Please. If you could
22 speak into the mic, James.

23 JAMES COLASANTE: That traffic light at
24 the corner of 24th Avenue and Bell Boulevard which
25 encompasses also the shopping center has six

2 different settings for cars to make turns, lefts,
3 rights, east, west, north, south. It's going to be--
4 I don't know how many cars are going to come out of
5 there. But one thing that the developer did mention
6 about and he showed it on the screen that the
7 building's only 30 feet away from existing single-
8 family homes. It's going to tower over them. He did
9 mention that well, we have multiple family buildings
10 across the way. Those buildings are over 300 feet
11 away from the single-family homes that exist there
12 now today. When you build a school, as you all know,
13 all the traffic, all the parking on the perimeter of
14 that school is eradicated. It's gone. You cannot
15 park there. Right now, there's parking there. Once
16 that school is built, there's no more parking. The
17 signs say no parking during school hours. So, now,
18 where's all the cars going to park? There's going to
19 be 100 cars at least of non-existent parking. It'll
20 be a nightmare. And like I said in my speech, once
21 you make a decision, you can't go back. It's very
22 poor place to put a building of this type. Thank
23 you.

24 CHAIRPERSON LOUIS: Thanks.

2 LEO MARINELLO: And I would also like to
3 point out that with regard to the flood zone issue,
4 which is important, because we're talking about
5 seniors. The current pool club, any time it rains,
6 the first floor, the locker rooms are flooded. Okay.
7 they're going to put seniors-- seniors-- on the first
8 and second floor in a flood zone on a dead-end street
9 with no escape route for them. I don't know. I think
10 it's immoral.

11 JAMES COLASANTE: I have one more thing
12 to say. Several years ago-- the drainage is so bad
13 there, and the sewer system is so poor that several
14 years ago-- and I believe it was 15 or more-- they
15 had to put a pumping station at the end of this block
16 to push the water further up to Willis Point from
17 where we are at this-- and that still didn't help. I
18 wish I could show you the pictures of the flooding
19 that was in the area. It was-- it floated the cars
20 off the street onto the sidewalks, that's how bad it
21 was. That's how bad it was.

22 CHAIRPERSON LOUIS: Thank you for that.

23 JAMES COLASANTE: It's just the wrong
24 place for this. And the back is the Cross Island
25 Parkway. So there's nowhere for people to go.

2 CHAIRPERSON LOUIS: Thank you. Council
3 Member?

4 COUNCIL MEMBER THOMAS-HENRY: So, that
5 answers my question. But for the record, I would like
6 to say I would like if there's a way for us to check
7 with the city if there are any infrastructure plans
8 in that area, because again, I am familiar with that
9 part of Queens. And I remember when College Point
10 used to flood like that. So, just curious to see
11 with this development with the school and this
12 proposed project, if there are any larger
13 infrastructure plans to avoid.

14 CHAIRPERSON LOUIS: And it does sound
15 compounded. It's congestion with infrastructure all
16 at the same time, so we'll definitely look into that.

17 COUNCIL MEMBER THOMAS-HENRY: Correct.

18 JAMES COLASANTE: What the school did
19 was, they didn't build the first floor on ground
20 level. They went up about five feet off the ground
21 knowing the possibility of future flooding. So
22 there's no ground floor level with the school. So
23 that tells you something right there.

24

25

2 CHAIRPERSON LOUIS: Thank you so much.

3 Being that there's no more Council Member questions,
4 this panel is now excused. Thank you.

5 JAMES COLASANTE: Thank you.

6 LEO MARINELLO: Thank you.

7 CHAIRPERSON LOUIS: I will now call the
8 next panel of individuals who signed up to testify.
9 Would the following individuals be seated at the
10 witness table: Barbara Griffel [sp?] and Scott Blanc
11 [sp?]. Sorry. It's all yours, Barbara. You may
12 start.13 BARBARA GRIFFEL: Yeah, they-- the three
14 people that spoke said a lot, and it's all true. We
15 have two streets, 24th Avenue, Waters Edge Drive,
16 both narrow streets going into a corner where they
17 are currently building a large school, elementary
18 school, that I am watching from my window going up.
19 Then across the street, they will be putting a park.
20 Neither the school nor the park has any facilities
21 for parking for people who work there, teachers,
22 staff. And in a few yards away is where they're
23 proposing to put this eight-story facility, a large
24 facility. It doesn't-- it's almost like, yes,
25 affordable housing is important, but you have to ask

2 yourself do you just squeeze as many things in a
3 small area as you possibly can? I mean, why don't
4 they just put the Empire State Building there? And
5 as they said, there is no one who knows this area
6 that is for it. It's like almost a unanimous thing.
7 If you were able-- you said you've been in the area.
8 if you walk down 24th Avenue and you look at what's
9 going on, just the size of the school in that small
10 corner, and you couldn't even imagine putting a big
11 building there. It just makes no sense. You know,
12 the parking is an incredible problem, because
13 currently before the building-- before the school was
14 built, before a building goes up, before there's a
15 park with no parking in it, there's almost no
16 parking. So, what can I say? It doesn't affect me. I
17 happen to have my own parking spot, but many people
18 don't and certainly not the staff of the school.

19 CHAIRPERSON LOUIS: Thank you, Barbara.

20 BARBARA GRIFFEL: Anyway, thank you.

21 CHAIRPERSON LOUIS: Thank you. Do you
22 any Council Members have questions for this panel?
23 Alright, you're now excused. Thank you. I will now
24 call the next panel of individuals who signed up to
25 testify online. I will now call Megan Rha.

2 SERGEANT AT ARMS: You may begin.

3 MEGAN RHA: Hello, yes. Hi.

4 CHAIRPERSON LOUIS: You may begin.

5 MEGAN RHA: Good af-- yes, thank you.

6 Thank you, Madam Chair. Good afternoon Subcommittee
7 Chair and members of the Subcommittee. My name is
8 Megan Rha and I serve as a member of Community Board
9 11 which covers the area involved in the 217-14 24th
10 Avenue zoning project in Bayside, Queens. And I am
11 also a resident of the area for the last 30 years of
12 my life. I am here to express my strong opposition
13 to the proposed development that would add 183
14 dwelling units and 65 long-term stay units in the
15 heart of a single-family residential community.
16 While the goal of the developers to build senior
17 assisted living units is commendable, and I do want
18 that myself, where they want to build the facility is
19 the issue at this time. Based on everything I have
20 researched and studied, this proposal is
21 fundamentally incompatible with the character,
22 infrastructure, safety, and the realities of this
23 particular neighborhood. If I could help you,
24 members of the Subcommittee, to imagine what the
25 developers want to do, please imagine an elephant and

2 then imagine that the elephant is dropped on top of a
3 flock of baby chicks. The elephant won't-- will not
4 feel a thing, but the baby chicks will get crushed
5 and either die or be unable to breathe. That is how
6 I believe this proposal will impact this particular
7 community. The project sits-- the project location
8 or site sits of the nexus of Bell Boulevard, our
9 community's primary commercial and transportation
10 corridor, and the Cross Island Parkway whose
11 entrance--

12 CHAIRPERSON LOUIS: [interposing] Thank
13 you, Megan. Thank you for your--

14 MEGAN RHA: [interposing] Oh, I'm already
15 done?

16 CHAIRPERSON LOUIS: testimony. Thank you
17 so much.

18 MEGAN RHA: Oh, am I done with the time?

19 CHAIRPERSON LOUIS: Yes.

20 MEGAN RHA: Oh, okay.

21 CHAIRPERSON LOUIS: You can submit the
22 rest of your testimony online at landusetestimony@--

23 MEGAN RHA: [interposing] Yes.

24 CHAIRPERSON LOUIS: council.nyc.gov.

25 thank you so much.

2 MEGAN RHA: Okay, I will do that.

3 CHAIRPERSON LOUIS: Thank you, Megan.

4 Next up we're going to have Roseann Henry, Walter
5 Mugden [sp?], and Matthew Silverstein [sp?]. We'll
6 start with Roseanne Henry.

7 ROSEANN HENRY: Hello. Can you hear me?

8 CHAIRPERSON LOUIS: If you could put your
9 volume up a little bit louder.

10 ROSEANN HENRY: Okay. Alright, better?

11 CHAIRPERSON LOUIS: Yes, you may begin.

12 ROSEANN HENRY: Hi. My name is Roseann
13 Henry. Thanks for the opportunity to speak. I grew
14 up in Queens Village and have owned a home in Bayside
15 for 27 years. I recognize the need for new housing
16 citywide, and I recognize the parcels of 55,000
17 square feet don't become available very often.18 Multi-family development is not unreasonable on that
19 lot. I'm not just a cranky homeowner with a knee-
20 jerk reaction to any change in single-family zoning,
21 but approving this request would send a clear message
22 of disregard for the community, and I urge you not to
23 do that. This is a residential neighborhood that is
24 not accessible by subway, is not on a bus route, and
25 is nearly a mile and a half from a commuter railroad.

2 For reference, that's like building new apartments at
3 Columbus Circle and telling residents that the
4 nearest train is at Harold's Square and it only goes
5 to Queens. It is a simple fact that residents of
6 whatever is built on this lot will have cars. This
7 is northeastern Queens. We have been asked to
8 believe that the market will dictate how much parking
9 is provided with new developments, but this plan
10 shows how inaccurate that is. The proposed building
11 will accommodate only 80-something cars for more than
12 250 apartments with hundreds of residents plus
13 visitors, building staff, food service and medical
14 staff for the assisted living facility, contractors,
15 and delivery trucks. That's hundreds of vehicles
16 everyday with completely inadequate parking. This is
17 the third new development at this corridor, and the
18 block will be swamped with traffic, cars, and people
19 with no comprehensive plan for managing the entirety
20 of the changes. This is an egregious example of a
21 developer who wants to squeeze the most money
22 possible out of a project, then walk away and leave a
23 community to deal with the mess left behind. And
24 make no mistake, this one would be quite a mess. I
25 strongly urge you to reject this proposal and let's

2 send the developer back to the drawing board to come
3 up with an alternative more appropriate to the site
4 and the neighborhood. Thank you very much.

5 CHAIRPERSON LOUIS: Thank you. We'll now
6 hear from Walter Mugdan.

7 SERGEANT AT ARMS: You may begin.

8 WALTER MUDGAN: I'm the President of a
9 nearby Homeowner's Association and the President of a
10 conservation group that is concerned with the quality
11 of Little Neck Bay, the adjacent water body. As
12 others have stated in great detail, this project is
13 the wrong project for this location. This is a dead-
14 end street, a narrow dead-end street with very
15 limited ingress/egress opportunities, and the traffic
16 is going to be exacerbated by the school that is
17 already now being built right near the same location
18 on the same street. School that will be serviced by
19 school buses as well as parents picking up and
20 dropping off their children. There is no inadequate
21 parking that is being proposed or required of this
22 particular apartment building proposal, and the
23 flooding risk that you've heard about from other
24 speakers is really significant and severe. There
25 are, in my view, other reasonable opportunities for

2 appropriate development at this site that would still
3 provide an adequate return on investment and that
4 would not so dramatically burden the neighborhood.
5 So, again, we urge you to vote against it and hope
6 that you have paid close attention to the detailed
7 information you've received from people who live
8 immediately adjacent to the area. Thank you very
9 much.

10 CHAIRPERSON LOUIS: Thank you, Walter.

11 We'll now hear from Matthew Silverstein.

12 MATTHEW SILVERSTEIN: Yes, can you hear
13 me?

14 CHAIRPERSON LOUIS: Yes.

15 MATTHEW SILVERSTEIN: Okay. Thank you,
16 Council Members, for letting me testify. My name is
17 Matthew Silverstein. I'm actually the President of
18 the Bay Terrace Community Alliance. We're the civic
19 association for the Bay Terrace community. I have
20 lived on Waters Edge Drive for the last decade. I
21 used to live in the rental building that was-- that
22 is right next door to this project. I just moved to
23 the towers at Waters Edge a few months back. This
24 project is a terrible idea. Everyone has talked
25 about the overburdening of the area with the

2 congestion. Also, this upzoning is a joke, right?

3 This project belongs-- this project sits in Community

4 Board 11 and Community Board 11 is mostly single-

5 family, low-density housing. This will be a domino

6 effect that will have huge bur-- this could be a

7 disaster for zoning in Community Board 11. Also, the

8 fact that you're talking about 86 spaces, parking

9 spaces in this development when there's going to be

10 hundreds of units and people coming in with the

11 assisted living. That's also a joke, right? And for

12 me, right, I have a child. I have a four-year-old

13 child who's probably going to go to that school on

14 that block. This school that's being built across

15 the street from this proposed project is right up to

16 the property line. You're going to have hundreds and

17 hundreds of children walking all over. They're going

18 to be crossing the street to go to the park. You're

19 going to have parents coming in with their cars from

20 7:30 in the morning 'til 8:30 when school starts in

21 the afternoon. You won't even be able to get out of

22 your homes if these are people who are living there.

23 So, this project, again, this is not like a NYMBY

24 thing, but this project does not belong on this

2 block. It is just-- it is a huge mistake, and we
3 urge the Council Members to vote no.

4 CHAIRPERSON LOUIS: Thank you. This
5 panel is now excused and we'll call the next panel of
6 individuals who have signed up online to testify. We
7 will hear from Henry Euler, Paul Graziano, Phil--
8 Graziano, oops-- Phil Konigsberg and Carol Marion.
9 We will start with Henry Euler.

10 SERGEANT AT ARMS: You may begin.

11 HENRY EULER: Thank you. My name is
12 Henry Euler. I'm the Second Vice Chair of Community
13 Board 11, Queens. I am reading some testimony from
14 our Chair, Paul DiBenedetto, who was unable to attend
15 today due to work considerations. He urges that the
16 project rezoning for this particular address we voted
17 down. As the CB Chair Paul said that he met with the
18 applicants a little over a year ago to discuss plans
19 for the proposed building. After careful review, he
20 told them the project would be regarded by the
21 community as unacceptable development. At no point
22 during the pre-certification period did the applicant
23 come back to us to discuss alternative designs which
24 would have been welcomed. CB11 voted unanimously
25 against the project, both at our Land Use Committee

2 in September and full board meeting in October 2025.
3 At the October full board meeting, hundreds of people
4 came from the community, all in opposition to this
5 project. The people that spoke-- there were tens and
6 tens of them, dozens actually. They all spoke
7 against the project. Nobody spoke in favor of the
8 project. Council Member Paladino came. She was
9 against the project. Paul spoke to her during the
10 meeting and asked her if she would be voting no at
11 the City Council. She unequivocally said she would
12 be voting no. All of our meetings are recorded via
13 audio and video so it becomes part of the public
14 record. The property does lie in a flood zone area.
15 It's very concerning to us. And this should not be
16 built on 24th Avenue.

17 SERGEANT AT ARMS: Thank you. Your time
18 expired.

19 CHAIRPERSON LOUIS: Thank you, Henry.

20 HENRY EULER: Thank you. We'll submit
21 the testimony--

22 CHAIRPERSON LOUIS: [interposing] You can
23 submit, yes. You can submit it online.

24 HENRY EULER: And I hope to submit my own
25 testimony as well. I'm against it. Thank you.

2 CHAIRPERSON LOUIS: Thank you, Henry. We
3 will now hear from Paul Grandiano [sic], Graziano.
4 Paul?

5 PAUL GRAZIANO: Hello?

6 CHAIRPERSON LOUIS: Good afternoon. You
7 may begin.

8 PAUL GRAZIANO: Hi. How are you?

9 CHAIRPERSON LOUIS: Hello. You may begin.

10 PAUL GRAZIANO: Thank you, Chair Louis
11 and thank you Council. I'm Paul Graziano. I'm a
12 zoning land use and building consultant and work with
13 communities not just in northeast Queens but around
14 the city, and I was actually retained by Community
15 Board 11 to examine the EIS and the entire proposal
16 that was put forth by the applicants. Just a few
17 things. And I'm also a resident. I live nearby, not
18 in that area, but close by. Just a few points. I
19 think a lot of things have been said. One of the
20 things that needs to be understood is, you know, when
21 we're talking about this being in a flood zone. In
22 the EIS, the applicant's solution to dealing with
23 severe flooding which this site will have, is to
24 build-- eventually build flood gates and to build the
25 buildings such that the bottom floors will ultimately

2 not be able to be used as the sea level rise and
3 flooding continues, making them obsolete. You know,
4 building them as obsolescence built into their
5 development which is really, again, kind of speaks to
6 the fact that this site is not an appropriate
7 location for any kind of development like this. The
8 developers also, as you saw, did not show what this
9 building looks like when it's in context with the
10 surrounding community beyond that one kind of
11 overview showing the other buildings within mile
12 radius that are taller buildings, all in Community
13 Board Seven, I would just want to mention as opposed
14 to in Community Board 11 which is entirely zoned for
15 single-family zoning. So, in a nutshell, the
16 location is terrible. We know that. The park that's
17 being built was actually leased by the pool club for
18 parking for their members [inaudible]

19 SERGEANT AT ARMS: [interposing] Thank
20 you. Your time expired.

21 CHAIRPERSON LOUIS: Thank you, Paul.

22 PAUL GRAZIANO: So, yes. So, I'll be-- I
23 can send additional graphics--

24 CHAIRPERSON LOUIS: [interposing] Yes.

25 PAUL GRAZIANO: in a email to you.

2 CHAIRPERSON LOUIS: Thank you so much.

3 We'll now hear from Phil.

4 SERGEANT AT ARMS: You may begin.

5 CHAIRPERSON LOUIS: Phil, are you still
6 with us?7 PHIL KONIGSBERG: Yes, I'm sorry. I just
8 unmuted. Can you hear me?9 CHAIRPERSON LOUIS: Yes, we can hear you.
10 You may begin.11 PHIL KONISBERG: Okay, great. First, I'm
12 very surprised. I'm shocked that our Council Member
13 has not made a statement or appeared at this meeting.
14 But let me start my testimony here. My name is Phil
15 Konigsberg. I'm a Queens Community Board Seven
16 member which 17 [sic] is directly across the street
17 on 24th Avenue. I'm also the Second Vice President of
18 the Bay Terrace Community Alliance. I'm speaking
19 against the application that would negatively impact
20 the quality of life of my neighborhood. Now, as
21 Megan asked you to imagine, I want to paint a picture
22 for the community to also think. Imagine a
23 relatively quiet street that ends at a dead-end with
24 private homes and two small apartment buildings.
25 Now, imagine next year a new 572-seat elementary

2 school opens with school buses and cars double-parked
3 on this relatively narrow road with no intersecting
4 through streets. Now, add the new public park across
5 the street from this school. It's starting to get a
6 little congested, right? But wait, if the property
7 across the street from the new school and park is
8 rezoned to allow a 462-unit, eight-story residential
9 building with a senior care facility, Can you
10 understand the fear our community has or the gridlock
11 situation that will occur weekdays? Do you this
12 picture in your mind? Great. Now imagine an
13 emergency, medical, fire or structural. Just imagine
14 large emergency vehicles--

15 SERGEANT AT ARMS: [interposing] thank
16 yo.

17 CHAIRPERSON LOUIS: Thank you so much,
18 Phil.

19 PHIL KONIGSBERG: [inaudible] narrow
20 street for the--

21 CHAIRPERSON LOUIS: [interposing] Thank
22 you.

23 PHIL KONIGSBERG: [inaudible] response
24 time would have life or death consequences for
25 everyone on the block. You see that exit?

2 CHAIRPERSON LOUIS: Thank you, Phil.

3 Thank you so much for your testimony. If you have
4 additional testimony, you can email it. Now, we'll
5 hear from Carol Marion.

6 SERGEANT AT ARMS: You may begin.

7 CAROL MARION: Thank you. I am
8 registering a negative attitude about this project.
9 I am going to reiterate one of the biggest issues I
10 can see is that the building is going to be flood
11 resilient, but that is not going to remit the
12 flooding issue or mitigate the flooding in the
13 neighborhood. That is what the applicant has not
14 really explained. So, as it was brough ahead, we're
15 right next to the Cross Island Parkway which is known
16 for its flooding. This project will make the land
17 that exists impermeable and will flood the
18 neighborhood homes. What happens when you build
19 structure this huge, you are cementing over the
20 permeability factor that we have for water drainage.
21 And with the school-- I'm just reiterating what
22 everybody has said. This rezoning is out of the
23 question. It is an extreme, extreme zoning change.
24 It is not possible to support this. And I am
25 speaking on behalf of my neighbors also. We live even

2 a little further away but we would be affected by and
3 the Cross Island Parkway, also. And the emergency
4 vehicles, it's unbelievable that they even submitted
5 this particular proposal. Thank you very much.

6 CHAIRPERSON LOUIS: Thank you, Carol.
7 This is the last call. If there any members of the
8 public who wish to testify regarding this proposal
9 remotely, please press the raise hand button now. If
10 you are in person, please identify yourself to one of
11 the Sergeants. Being there are no members of the
12 public who wish to testify regarding LUs 20 and 21
13 relating to 217-14 24th Ave. residential rezoning
14 proposal, the public hearing is now closed, and the
15 items are laid over. I now open the public hearing
16 on LU 30, a request for a sidewalk café by the
17 restaurant known as Ethel's [sic] Alcohol and Food in
18 Speaker Menin's district. They seek to place four
19 tables and 16 chairs along the sidewalk in front of
20 this establishment. My understanding is the Speaker
21 has resolved the outstanding issues between the
22 establishment and the Community Board. Is there
23 anyone from the public who wishes to testify remotely
24 or in-person regarding this sidewalk café
25 application? Being there are no members of the

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2 public who wish to testify regarding the request for
3 a sidewalk café by Ethel's Alcohol and Food, the
4 public hearing for LUs 30 is now closed, and this
5 item is laid over. That concludes today's business.
6 I want to thank my colleagues for staying for this
7 marathon. Thank you so much for staying through this
8 marathon. I truly appreciate you guys for
9 participating. This concludes today's business. I
10 would like to thank the members of the public, my
11 colleagues, Subcommittee Counsel, Land Use, and other
12 Council staff, and the Sergeant at Arms for
13 participating in today's meeting. This meeting is
14 hereby adjourned.

15 [gavel]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date February 11, 2026