

MEETING MINUTES

INDUSTRIAL BUSINESS ZONE (IBZ) BOUNDARY COMMISSION

NOVEMBER 21, 2013, 9:00 AM

110 WILLIAM STREET, 4TH FLOOR, ROOM 4A/B

IBZ Boundary Commission Board Members:

Present: Donald Giampietro (SBS Proxy), Matthew Berk (DCAS Proxy), Melva Miller (Queens Borough President's Office Proxy), Richard Bearak (Brooklyn Borough President's Office Proxy), Adam Friedman (Pratt Center), Barry Dinerstein (DCP Proxy), Charlie Marcus (HPD Proxy), James Rausse (Bronx Borough President's Office Proxy), Thomas Fariello (DOB Proxy), Ben Branham (NYCEDC Proxy), Nick Dmytryszyn (Staten Island Borough President's Office Proxy), Eric Munson (DOF Proxy)

Absent: Brian Cook (Manhattan Borough President's Office Proxy)

Quorum Present? Yes

Staff to the Boundary Commission:

Present: Miquela Craytor, Katy McShane

Absent: None

Others:

Ted Renz (Ridgewood Local Development Corporation), Tamara Agins (DCP)

Chairman Donald Giampietro convened the meeting at 9:10AM.

The Chairman announced that the Commission is convening to ratify proposed modifications to the existing Industrial Business Zone (IBZ) boundaries in the Ridgewood area of Queens, the Port Morris area of the Bronx, and the North Shore area of Staten Island.

Ms. Craytor provided context for the meeting, noting that at the last Boundary Commission meeting on 9/13/13, the Commission passed two resolutions authorizing staff to initiate a public review period and environmental review of two additions to the ratified IBZs: one in Ridgewood area of Queens and one in the Port Morris area in the Bronx. Additionally, Boundary Staff had postponed the proposed IBZ in the North Shore of Staten Island. The purpose of the meeting was to move forward in all three proposed areas.

The Boundary Commission received 8 comments at the public hearing, in addition to 6 written comments.

Commission Procedures

Chair asked all attendees to sign in and to speak into microphones as a means of recording. Chair announced that when the Boundary Commission comes to the items related to a specific borough, only the respective borough representative – for that borough – can vote along with the other non-borough representatives. Borough representatives can vote only on the borough they represent. In the case of the Ridgewood proposal, which spans both Queens and Brooklyn, both Borough representatives may vote.

Summary of Public Comment, Discussion, and Boundary Commission Resolution on Final Boundaries, by IBZ

Ms. Miquela Craytor provided an overview of the Environmental Assessment Statement (as applicable), and a review of the public comments received and Final Proposed boundaries for each IBZ. For each IBZ, the Boundary Commission considered a resolution to ratify boundaries.

- **PORT MORRIS**

- **Discussion of Environmental Assessment Statement:**

- In June of 2012 the commission passed a resolution that the Commission is to serve as lead agency for the City Environmental Quality Review (CEQR Review) for the creation of new or modification of existing Industrial Business Zones; resolution was passed unanimously
- Proposed action will MODIFY existing Port Morris IBZ
- Proposed action would not change existing zoning (M1-1) or create any site-specific development
- Staff wrote an Environmental Assessment Statement analyzing the proposed action's potential for significant adverse impacts, based on the guidelines in the 2012 City Environmental Quality Review Technical Manual.
- Based on a preliminary screening analysis, the proposed action would not exceed any of the CEQR manual thresholds and would not result in potentially significant adverse impacts.

- **Staff Recommendation:**

- Staff recommends issuing a negative declaration, as the proposed action would preserve existing underlying zoning and would not affect land uses within the project area. No change is proposed to

the currently allowed land uses, density yard, or other bulk requirements of underlying zoning. The proposed action would not result in new construction or displacement.

- **Boundary Commission Consideration of Resolution**
 - Chair introduced a resolution that the Commission issue a Negative Declaration based on the Review of the Environmental Assessment Statement (EAS) for additions to the Industrial Business Zone in the Port Morris area of the Bronx, NY.
- **Adoption of Resolution:**
 - Mr. Friedman moves to adopt the resolution
 - Mr. Rausse seconds the motion
 - Resolution is passed unanimously with no abstentions.
- **PORT MORRIS BOUNDARIES**
 - **Discussion of Public Comments:**
 - Ms. Craytor noted that there were public comments on the boundaries of the proposed Port Morris addition, both for additions to be added to the proposal as well as omissions. Staff surveyed properties within the area.
 - **Staff Recommendations**
 - Staff recommends moving forward with the requested inclusions.
 - Staff also recommends removing portions of the requested omissions. Staff recommends maintaining within the boundary the blocks between East 141st St and East 142nd St, from Canal Place to Rider Ave, as this area is strongly industrial in nature.
 - **Boundary Commission Consideration of Resolution**
 - Mr. Friedman requested additional information about why some portions of the original proposed boundary had been removed.
 - Ms. Craytor confirmed that most of the buildings within the proposed exclusion were industrial in nature, with the exception of an HRA building on the south side of East 140th St at Rider Avenue which was excluded in the Final Proposed boundary.
 - Ms. Craytor noted that the buildings on the north side of East 140th St and south of East 141st St were less predominantly industrial in nature, based on number of industrial jobs (just under 50) and numbers of industrial companies. Staff attempted to take into account comments from DCP, SOBRO, and the Bronx Borough President's Office, while balancing that with the policy goals of the program.
 - Mr. Rausse wished to thank the Boundary Commission for considering this expansion. The comments from the Bronx

Borough President's Office during the November 8th public hearing included the cleaning up of MX zones, the expansion below East 138th St, as well as the requested exclusion north of East 140th St along Rider Avenue. In discussions with DCP, the reasons that the area along Rider Avenue was requested to be excluded was because of questions about the number of industrial jobs and the quality of those buildings and potential for repurposing for residential, to act as a buffer for proposed residential east of this area. DCP also mentioned the potential for conversion of buildings to self-storage facilities within the IBZs.

- Mr. Dinerstein voiced Department of City Planning's view that this area has potential for uses other than industrial, and also questioned the number of industrial jobs in the area.
 - Mr. Friedman asked Mr. Dinerstein if the area in question was the subject of a study for a rezoning in the past.
 - Mr. Dinerstein stated that the public process which went along with this rezoning study determined that the area should not be rezoned. Mr. Dinerstein emphasized the need to determine the long-term plan for the area and adjacent blocks.
 - Mr. Friedman raised the issue of self-storage within IBZs.
 - Mr. Dinerstein noted that there are a number of large loft buildings that exist around the City, many of which are not viable for industrial uses – some of these have transitioned to self-storage, others have become residential. Mr. Dinerstein requested a larger public discussion of this area.
 - Mr. Friedman requested more discussion of the self-storage issue.
 - Mr. Dinerstein noted that there may not be a great difference between self-storage and warehousing, but was open to a larger conversation especially related to land use.
 - Mr. Rausse noted that while self-storage was similar to warehousing, but noted significant differences – a self-storage building tends to attract residents who may be storing items, while the warehousing uses have employees. The Bronx Borough President's Office would be open to a discussion about whether or not self-storage facilities should be excluded from IBZs and should not be eligible for benefits under the IBZ program.
 - Chair introduced a resolution that the Commission ratify the final proposed boundary modifications for the Port Morris IBZ Boundaries
- **Adoption of Resolution:**

- Mr. Rausse moves to adopt the resolution
 - Mr. Branham seconds the motion
 - Resolution is passed with an abstention from Mr. Dinerstein.
- **RIDGEWOOD/SOMA**
 - **Environmental Assessment Statement**
 - Ms. Craytor noted that in June of 2012 the commission passed a resolution that the Commission is to serve as lead agency for the City Environmental Quality Review (CEQR Review) for the creation of new or modification of existing Industrial Business Zones; resolution was passed unanimously
 - The proposed action will create a NEW IBZ in the Ridgewood/SoMA area
 - Proposed action would not change existing zoning (M1-1) or create any site-specific development
 - Staff wrote an Environmental Assessment Statement analyzing the proposed action's potential for significant adverse impacts, based on the guidelines in the 2012 City Environmental Quality Review Technical Manual.
 - Based on a preliminary screening analysis, the proposed action would not exceed any of the CEQR manual thresholds and would not result in potentially significant adverse impacts.
 - **Staff Recommendation:**
 - Staff recommendation recommends issuing a negative declaration, as the proposed action would preserve existing underlying zoning and would not affect land uses within the project area. No change is proposed to the currently allowed land uses, density yard, or other bulk requirements of underlying zoning. The proposed action would not result in new construction or displacement.
 - **Boundary Commission Consideration of Resolution**
 - Chair introduced a resolution that the Commission issue a Negative Declaration based on the review of the Environmental Assessment Statement (EAS) for the new Industrial Business Zone in the Ridgewood/SoMA area of Queens, NY.
 - **Adoption of Resolution:**
 - Ms. Miller moves to adopt the resolution
 - Mr. Branham seconds the motion
 - Resolution is passed unanimously with no abstentions.
- **RIDGEWOOD/SOMA BOUNDARIES**
 - **Discussion of Public Comments:**

- Staff received requests to add additional parcels to the IBZ boundaries, particularly north of the proposed boundary along the rail line near Decatur Street. The requests for additions also included parcels between Cypress Avenue and Wyckoff Avenue.
- **Staff Recommendation:**
 - Staff recommended that the IBZ boundary be modified to add three lots on the block bounded by Cypress Avenue, Stephen Street, Wyckoff Avenue, and George Street
- **Boundary Commission Consideration of Resolution**
 - Ms. Miller noted that the Queens Borough President's Office worked with the Department of City Planning and various stakeholders to produce a map (which she distributed to the group), which she thought had been submitted by DCP to the Boundary Commission Staff. This map was not submitted to Staff during the public comment period. Additionally, she requested that the proposed boundaries be considered as an addition to the existing Maspeth IBZ. Ms. Miller asked Mr. Dinerstein to explain the rationale for the DCP proposed boundary.
 - Mr. Dinerstein stated that the Department of City Planning is in the process of completing a Brownfield Opportunity Area study in the vicinity of the staff boundary, which has found that various sites within the area have levels of environmental contamination. He also voiced concern that there are 1,000 residents nearby the proposed IBZ boundary. In their proposed boundary, DCP attempted to capture industrial areas around the intersection of Forest Avenue and 160th Lane by extending the boundary along the rail line.
 - Ms. Miller asked for clarification on whether or not the Boundary Commission would need to meet again to vote on the boundaries which Department of City Planning proposed.
 - Ms. Craytor said that the Commission would need to be reconvened to vote in person, and that any additions beyond what was included in the Environmental Assessment Statement would need to go through an environmental review process, as well as a public comment period.
 - Mr. Bearak suggested that if the Department of City Planning proposed modifying the IBZ boundary to extend further into Brooklyn that he would be willing to meet again.
 - Mr. Dinerstein said that he would prefer reopening the public review process.

- Ms. Miller stated that the Queens Borough President's Office would not want to delay the ratification of IBZ boundaries in the Ridgewood area. Ms. Miller stated that they would be willing to ratify the staff recommended boundaries, so long as the discussion of boundaries could be reopened as the BOA studies become more finalized.
- Mr. Dinerstein emphasized DCP's concern about the residential units in the area and the fragmented nature of blocks and lots in the staff recommended boundary.
- Mr. Friedman suggested that he would accept the staff recommended boundary. Mr. Friedman questioned how DCP's proposal to extend along a rail line was different than the blocks and lots proposed by staff. Mr. Friedman also questioned how the IBZ boundaries were in conflict with the BOA process. He suggested that many of the industrial areas in NYC could likely benefit from a BOA study as many of these areas have environmental contamination and could be cleaned up.
- Ms. Craytor reminded the Commission that one of the objectives of the 2012 modifications of the IBZ boundaries were to move the boundary lines from blocks and lots to metes and bounds. However, there are legacy areas that are technically block and lot boundaries but follow metes and bounds boundaries.
- Mr. Giampietro reminded the Commission that the boundary modification process can be reopened at any time.
- Ms. Miller proposed that the Commission vote on the staff recommendation boundary, but also asked that as the BOA studies move forward that the Commission potentially reconsider the boundaries.
- Chair introduced a resolution that the Commission ratify the final proposed boundary modifications for the Ridgewood/SoMA IBZ Boundaries
 - **Adoption of Resolution:**
 - Ms. Miller moves to adopt the resolution
 - Mr. Branham seconds the motion
 - Resolution is passed with an abstention from Mr. Dinerstein.
- **STATEN ISLAND NORTH SHORE**
 - **Discussion of Public Comments:**
 - Ms. Craytor stated that the North Shore area of the Staten Island IBZ was proposed in June 2012, and that staff received comments on the boundaries during the public comment period in July 2012.

- One area that was requested to be excluded in the public comment period was the area at the foot of Ferry Street and Port Richmond Avenue, along Richmond Terrace. Staff also received requests to exclude an area along Richmond Terrace between Broadway and Jewett Avenue, which includes a future park.
- **Staff Recommendation:**
 - Staff recommended modifications to exclude the future park area, as well as the parcels at the foot of Ferry Street and Port Richmond Avenue.
- **Boundary Commission Consideration of Resolution**
 - Mr. Dmytryszyn thanked the Boundary Commission staff for their work on this proposal, and suggested that in the future there should be some coordination on timing and public comment periods for the BOA process and the IBZ boundary modification process.
 - Mr. Dinerstein stated that he was pleased that the foot of Port Richmond Avenue was excluded from the boundary, but also stated that Department of City Planning was initiating a planning process in the area to the west and that this process may include proposals to rezone the area currently included within the IBZ.
 - Chair introduced a resolution that the Commission ratify the final proposed boundary modifications for the North Shore area of the Staten Island IBZ Boundaries
- **Adoption of Resolution:**
 - Mr. Dmytryszyn moves to adopt the resolution
 - Mr. Branham seconds the motion
 - Resolution is passed unanimously with no abstentions.

CLOSING COMMENTS

Mr. Giampietro opened the floor to questions and answers and closing comments

- Mr. Dinerstein had additional clarification questions about the Ridgewood IBZ, and suggested that there be a separate contract for an Industrial Service Provider for this IBZ area, as he felt that the Service Provider for this area in Queens was already overwhelmed.
- Mr. Giampietro stated that comments related to Industrial Service Providers should be relayed to Department of Small Business Services.
- Ms. Miller asked when the RFP for Industrial Service Provider contracts would be released
- Mr. Giampietro stated that the RFP would be close to the end of the City's fiscal year (Jun 30).
- Mr. Branham wished to thank Boundary Commission staff and the Boundary Commission members for their work on this process

Mr. Giampietro proposed as resolution to adjourn the meeting at 10:15 AM, Mr. Dmytryszyn moved to adopt the resolution and Mr. Friedman seconded the motion.
Meeting adjourned.