



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

59 East 4th Street - New York, NY 10003

Phone (212) 533-5300

www.cb3manhattan.org - info@cb3manhattan.org

Jamie Rogers, Board Chair

Susan Stetzer, District Manager

Community Board 3 Board Meeting Agenda

Tuesday, May 23, 2017 - 6:30pm
Public School 20, 166 Essex Street

Those wishing to speak should fill out a speaker's form. Each speaker may speak for 2 minutes.

- A. Public Session 6:30pm - 7:30pm

- B. Elected Officials Reports:
 - Mayor Bill de Blasio Paola Ruiz
 - Public Advocate Letitia James Adam Chen
 - Comptroller Scott Stringer Elaine Fan
 - Borough President Gale Brewer Drew Lombardi
 - Congressmember Nydia Velazquez Iris Quinones
 - Congressmember Carolyn Maloney Victor Montesinos
 - Assemblymember Yuh-Line Niou Rebecca Ou
 - Assemblymember Deborah J. Glick Charlie Anderson
 - Assemblymember Brian Kavanaugh Venus Galarza-Mullins
 - State Senator Daniel L. Squadron Fendi Linan
 - State Senator Brad M. Hoylman Caroline Wekselbaum
 - Councilmember Margaret Chin Vincent Fang
 - Councilmember Rosie Mendez Jorge Jimenez

- C. Roll call and approval of minutes for March 2017

- D. Board Reports:
 - Board Chair's Report Jamie Rogers
 - District Manager's Report Susan Stetzer

- E. Committee Reports & Voting On Recommendations:
 - 1. Nominating Committee Debra Jeffreys-Glass
 - 2. Executive Committee Jamie Rogers
 - 3. Parks, Recreation, Cultural Affairs, & Waterfront Trevor Holland
 - 4. Landmarks Linda Jones
 - 5. Land Use, Zoning, Public & Private Housing MyPhuong Chung
 - 6. Health, Seniors, & Human Services / Mae Lee
Youth, Education, & Human Rights
 - 7. Economic Development David Ford
 - 8. Transportation & Public Safety / Environment Chad Marlow
 - 9. SLA & DCA Licensing Committee Alexandra Militano
 - 10. Two Bridges EIS Task Force Lisa Kaplan
 - 11. Essex Crossing Task Force Gigi Li

- F. Old Business

- G. New Business

- H. Adjournment

Next Community Board 3 Meeting
Tuesday, June 27, 2017 - 6:30pm
Public School 20, 166 Essex Street



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May Vote Sheet

Executive Committee

- CB 3 position re Create NYC policy

VOTE: TITLE: Resolution regarding Summary Overview of comments on the NYC Cultural Plan

A Summary Overview of Community Input for the NYC Cultural Plan is presently on line at CreateNYC.org. There is a two week window of opportunity to offer comment on the proposals before a final version of the NYC Cultural Plan is submitted to the NYC Council by June 30, 2017 for review and approval. The Arts and Culture subcommittee Reviewed the Summary Overview and passed the following resolution:

WHEREAS, the NYC Council passed legislation requiring that NYC Dept of Cultural Affairs develop a Cultural Plan for New York City no later than the end of the fiscal year of 2017.

WHEREAS, the Summary Overview was reviewed by the Arts and Culture subcommittee who proposed that the following priorities would be of the most benefit to Community Board #3.

WHEREAS, the Issue of Equity should support arts & cultural organizations with a primary mission of serving historical underrepresented and underserved communities by encouraging and facilitating the employment of people from diverse communities and supporting individual artists who are from or work with diverse communities, as well as encourages and supporting increased language access, including ASL, for cultural programming and finding opportunities to reach broader more inclusive audiences by providing information in multiple languages and formats, and supporting disability Arts as part of supporting culture and artists, supporting artists and community based cultural organizations that work with immigrant communities, cultures and artists and continue to supporting free admission, membership or discounted programming with cultural organizations through the IDNYC program.

WHEREAS, under Social and Economic Impact, including Arts and Culture in resiliency planning and preparedness by designating a City Liaison to help coordinate the participation of artists and arts, cultural and science communities in disaster preparedness and responses. with support for cultural organizations that have a lower environmental impact.

WHEREAS, Affordability is one of the major issues facing our arts and culture community it is recommended that by preserving and developing long-term workspaces of the cultural community to advance the affordable Real Estate for Artists(AREA) initiative by supporting nonprofit organizations in the development and operation of affordable workspaces in City-owned or public-private partnership facilities would best serve our community after consulting with local residents in the City's RFP's for new cultural facilities in order to better reflect community needs and priorities as well as short and partner in the development of new models to develop and preserve affordable workspaces citywide-considering Community Land Trusts, fractional ownership, rent to own, deed restrictions, cross subsidization and mobile studios. To improve access to existing and newly developed affordable housing for artists and cultural workers by creating opportunities to increase the development of physically accessible affordable housing for artists that allows them to thrive in their own communities, inform NYC's artist and cultural communities about affordable housing opportunities and investigate how to allow for non-traditional income documentation review in affordable housing applications from artists and other freelance workers with variable income. Support longterm sustainability of artists, cultural workers and Arts& Culture and Science organizations including creating mechanisms for organizations to pool resources and encourage block buying of resources and materials such as goods and a city agency or not-for-profit 3rd party to pursue collective purchases of insurance.

WHEREAS, City-Wide Coordination should support culture across agencies partnering with other City agencies to ensure the needs of the cultural community in all community and economic development and planning processes, develop RFP's for mixed-use developments which give reference too proposals that include cultural organization on the development team, help artist and cultural organization stop navigate city government rules, regulations

and permitting, hold sessions for cultural opera and City agencies to facilitate collaboration and share information on upcoming opportunities. Strengthen interagency and inter-governmental collaboration by formally coordinating efforts to support an integrate culture across City Agencies and facilitate collaboration between agencies, sector sea initiatives. by effectively communication cultural funding opportunities and programming citywide via exiting information systems such as th NYCH Journal and libraries.

WHEREAS, Arts, Culture & Science Education needs to strengthen and promote high quality, diverse and sequential art culture and science education for every child in NYC Public schools by promoting and supporting arts instruction across grades K-12, integrate arts and culture in all subtexts, collaborate with arts and /or museum educators, expand the pool of arts and cultural organizations that deliver service in sand after school, expand free and affordable after school arts and culture programs citywide. Supporting professional development and fellowship for educators and teaching artists from under represented groups, including people with disabilities.

WHEREAS, Health of the Cultural Sector should support expanded employment opportunities for local artists and arts, cultural ad science works by collaborating with partner organizations to support individual arts through direct grants, including vocally sponsored artist, help community based networks to learn form one another, coordinate their efforts and scale up through collective action, support incremwsased marketing efforts by the City and other stakeholder to promote the broads range of arts and cultural offerings citywide and work towns safe and open environments for DIY and alternative arts spaces in collaboration with City agencies and to streamline the grant application process.

WHEREAS, Arts & Culture in Public Space should be increased opportunities for artist to work in NYC Government and public space by removing barriers and support stakeholders in navigating the permitting process for art and cultural programming in public space and crate mechanisms for artist-led and artist -initiate project in public space and/or with City government, by inclusion of public story in all development projects on private sites.

WHEREAS, Neighborhood Character should be maintained by supporting arts, cultural and science programs in all neighborhoods in all boroughs by incorporating local arts and culture organizations and and priorities in neighborhood planning and re-zoning, collaborating with communities and and researchers to identify cutler assets and distribution of funding, partner with City agencies and community stakeholders to support cultural preservation in neighborhoods across all five boroughs.

THEREFORE BE IT RESOLVED, Community Board 3 approves this Summary Overview of the NYC Cultural plan taking into consideration the above mentioned areas of concern as presented in this resolution and asks that the Department of Cultural Affairs release a copy of the proposed cultural plan to be submitted to the NYC Council prior to June 30 2017 for public review and comment and that data gathered from the many surveys conducted be made available to the general public and be sortable by zip code.

Parks, Recreation, Cultural Affairs, Landmarks, & Waterfront Committee

1. Approval of previous month's minutes approved by committee
2. Presentation by NYC Parks Landscape architect Chris Crowley of the schematic design for the Parks Without Borders project at Seward Park

VOTE: TITLE: To Support the design for Parks Without Borders Project at Seward Park

WHEREAS, Seward Park was awarded capital grant funding for improvements as part of the Parks Without Borders program; and

WHEREAS, Parks Without Borders aims to make parks around the city more welcoming and accessible to everyone by transforming underused spaces and improving current uses and entrances; and

WHEREAS, one aspect of the Parks Without Borders program is to minimize fencing and make it more uniform. The perimeter fences in Seward Park will be lowered from 7 feet to 4 feet; and

WHEREAS, the proposed design will include: additions of an adult exercise area to the underused open area near the basketball court; bioswales, permeable pavers, and other sustainable infrastructure; and two entrances, as well as enlargement of the garden; and

WHEREAS, the project will also include reconstruction of the sidewalks, making them more uniform, safe, and easier to maintain, and beautification of the library plaza; and

WHEREAS, the Parks Department is looking into the possibility of adding bistro and game tables in the park as well as children's size furniture in the library plaza; and

WHEREAS, the classical design of the park will be maintained throughout the project; so

THEREFORE BE IT RESOLVED, Community Board 3 supports the design for the Parks Without Borders Project at Seward Park.

3. Presentation of design for the Reconstruction of the Compost Facility and Construction of a Wetland for LES Ecology Center in East River Park

VOTE: TITLE: To Support the design for the reconstruction of the compost facility and construction of a wetland for the LES Ecology Center in East River Park

WHEREAS, Since 1987, the Lower East Side Ecology Center (LESEC) has worked toward a more sustainable New York City by providing community-based recycling and composting programs, as well as youth development through environmental education programs; and

WHEREAS, LESEC takes in food waste and processes it into compost for planting material in East River Park. LESEC would like to expand its composting operations, which would require reconstruction of the site; and

WHEREAS, the proposed reconstruction project would formalize current composting operations to adhere to requirements of the Department of Environmental Protection for sewer discharge by creating a separate treatment system capable of treating liquid waste from the composting operations; and

WHEREAS, the proposed project would provide a space for better site integration, educational opportunity, and controlled pedestrian access, while also serving as a stormwater collection and treatment space; and

WHEREAS, the site will be enhanced with plantings, stormwater management, and spatial organization for efficient composting operations and management and a reduction in unwanted odors; so

THEREFORE BE IT RESOLVED, Community Board 3 supports the design for the reconstruction of the compost facility and construction of a wetland for the LES Ecology Center in East River Park.

4. Planning for District Needs Statement
no vote necessary

Block Party

5. People Power Planet Party, 6/17, 622 E 6 St (btwn Ave B & Ave C)

VOTE: TITLE: To Support the People Power Planet Party on 6/17/2017 at 622 E 6th St. between Ave B and Ave C

To Support the People Power Planet Party

6. Festival Nios y Adultos, 7/15, E 6 St (btwn Ave D & FDR Drive)

VOTE: TITLE: To Support the Festival Nios y Adultos on 7/15/2017 at E 6 St. between Ave D and FDR Drive

To Support the Festival Nios y Adultos

7. Independence Day Celebration, 7/1, Market St (btwn E Bdwy & Henry)

no vote necessary

8. Vote to adjourn

approved by committee

Landmarks

- Certificate of Appropriateness, 74 E 4th St: La MaMa Theatre full renovation, including new storefront system to replace brick with aluminum, window replacement, elevator renovation, new

stairs, roof bulkheads, ADA accessibility, renovation of rear upper façade, rooftop mechanical with screen wall

VOTE: TITLE: Approval of the Certificate of Appropriateness for full renovation at 74 E 4th Street

WHEREAS, 74 East 4th Street (Block 459, Lot 23) was designated in 2009 as the Aschenbroedel Verein (now La MaMa); and

WHEREAS, the four-story (plus basement), red brick-clad building was constructed in 1873 to the design of German-born architect August H. Blankenstein; and

WHEREAS, the front façade was altered in 1892 by the architectural firm of Kurtzer & Rohl, with the addition of cast-iron ornament, pilasters, and cornice that combine elements of the German Renaissance Revival and Neo-Grec styles with folk motifs; and

WHEREAS, four 1892 cast-iron pilasters survive and will be restored; and

WHEREAS, alterations dating from 1969 include the central metal-and-glass entrance doors, which are surmounted by a wooden panel and sign; and brick infill between and above the pilasters; and

WHEREAS, the building was acquired in 1967 by the La MaMa Experimental Theatre Club; and

WHEREAS, the building remains one of the significant reminders of 19th-century German-American cultural contributions to New York City, as well as the continuing vitality of off-off-Broadway theater in the East Village, and

WHEREAS, proposed exterior work includes rooftop bulkheads and a mechanical screen wall that are not visible from a site line directly across the street; and

WHEREAS, it is proposed to remove the first floor brick infill and replace it with a recessed glass and aluminum storefront, including a suggestion of a storefront cornice, retaining and restoring the cast-iron pilasters; and

WHEREAS, the treatment of the historic façade is a restoration of special architectural elements, such as the cast-iron window surrounds, quoins, and cornice; and

WHEREAS, the proposed colors are based on forensic analysis; and

WHEREAS, the replacement windows will be wooden; and

WHEREAS, restoration and rehabilitation of this historic building will enable this important community cultural asset to serve its constituents well into the future; so

THEREFORE BE IT RESOLVED, CB 3 approves the application for a Certificate of Appropriateness for a full renovation at La MaMa Theatre at 74 E 4th St. The renovation will include a new storefront system to replace brick with aluminum, window replacement, elevator renovation, new stairs, roof bulkheads, ADA accessibility, renovation of rear upper façade, rooftop mechanical with screen wall.

Land Use, Zoning, Public & Private Housing Committee

1. Approval of previous month's minutes approved by committee
2. 421-a application for 79 Avenue D: mixed use building of 110 residential apartments including 22 affordable, 87 market rate, basement and ground floor retail

VOTE: TITLE: Approval of 421-a application by Avenue D Owners LLC and Avenue D Affordable LLC for 79 Avenue D (Block 376, Lot 33), a 12-story, mixed use building of 110 residential apartments, including 22 affordable, 87 market rate, basement and ground-floor retail

WHEREAS, the applicant is constructing a mixed-use residential and commercial building at 79 Avenue D with 110 apartments, 22 of which are affordable, as well as ground-floor retail; and

WHEREAS, CB 3 approved the inclusionary housing program for the building in June, 2015; and

WHEREAS, because of the HFA regulatory agreement, the affordable units will be affordable to families at or below 60% of AMI for 35 years and, upon vacancy, at or below 80% of AMI thereafter; and

WHEREAS, under the regulatory agreement, if operating expenses exceed revenues, the market-rate units will subsidize the affordable units; and

WHEREAS, the retail space has been pre-leased to RiteAid; and

WHEREAS, apartment facilities such as dishwashers and washer/dryers, are included in both the market rate and affordable units (neither market rate nor affordable studios have washer/dryers); and

WHEREAS, amenities will include a gym, lounge, laundry, bike room, and two outdoor areas, which will be available to all tenants, at no charge (except for the bike room, for which the affordable tenants will pay a lower amount); so

THEREFORE BE IT RESOLVED, CB 3 urges the New York City Department of Housing Preservation and Development to approve the 421-a application for 79 Avenue D.

3. Housing application checklist
no vote necessary
4. Chinatown Neighborhood Plan update
no vote necessary
5. Planning for District Needs
no vote necessary
6. Response to Two Bridges area development EIS draft scope

VOTE: TITLE: Provisional Approval of the Draft Comments

WHEREAS, draft comments on the draft scope of work were prepared by our consultant; and

WHEREAS, committee members and members of the public have reviewed the draft and proposed changes and additions; and

WHEREAS, the committee will not meet again prior to the scoping hearing on May 25; so

THEREFORE BE IT RESOLVED, the committee approves the draft, with the addition of the notes taken, and forwards the revised document to the CB 3 Executive Committee for approval. (See Appendix A)

7. Vote to adjourn
approved by committee

Health, Seniors, & Human Services / Youth, Education, & Human Rights Committee

1. Approval of previous month's minutes
approved by committee
2. Discussion of Mount Sinai Beth Israel Certificate of Need
no vote necessary
3. Continued discussion of proposed resolution regarding hate-free zone
no vote necessary
4. Planning for District Needs
no vote necessary
5. Vote to adjourn
approved by committee

Economic Development Committee

1. Approval of previous month's minutes
approved by committee
2. Union Square Tech Hub - update on recent occurrences
no vote necessary
3. Planning for Special District
no vote necessary
4. Planning for District Needs Statement
no vote necessary
5. Vote to adjourn
approved by committee

Transportation & Public Safety and Environment Committee

1. Approval of previous month's minutes approved by committee
2. PS/MS34 student presentation: Trash Free Waters – collection of data, engagement of neighbors to reduce plastic street litter (cafeteriaculture.org)
no vote necessary
3. LES Partnership - pedestrian plaza between Seward Park and Straus Square

VOTE: TITLE: Preliminary Support for Pedestrian Plaza between Seward Park and Straus Square

WHEREAS, the 'Parks without Borders' program will make significant investments in Seward Park; and

WHEREAS, underutilized portions of the roadbed exist between Seward Park and Straus Square; and

WHEREAS, residents have expressed a desire for additional pedestrian space and amenities in this location; so

THEREFORE BE IT RESOLVED, Community Board 3 supports the closure of the Canal Street roadbed between Seward Park and Straus Square to vehicular use; and

THEREFORE BE IT FURTHER RESOLVED, Community Board 3 supports necessary and appropriate changes in parking regulations to accommodate relocation of the existing taxi relief stand; and

THEREFORE BE IT FURTHER RESOLVED, Community Board 3 supports granulated resurfacing to discourage skateboarding; and

THEREFORE BE IT FURTHER RESOLVED, Community Board 3's support is conditioned on the understanding that a final design and programmatic use concept will be presented to the Parks Committee prior to implementation, with the exception of work involving granulated resurfacing and the installation of required pedestrian safety buffers such as planters and/or bollards.

4. DOT presentation: Weekend Walks, Shared Streets and Seasonal Street Closures planned for Chinatown summer 2017

VOTE: TITLE: Approve Concept for Pilot Seasonal Closure & Shared Streets in a Portion of Chinatown

WHEREAS, DOT presented a conceptual program for ~~a couple~~ pilot programs on some streets in the historic core of Chinatown for the 2017 warm weather season. The Chinatown BID is a partner with DOT for this program, and would provide programming for streets that would be partially or fully closed during the pilot program:

- A full seasonal closure of Doyers Street is being considered from mid-July through September. The southern-most 100 feet would remain open, primarily for access to the Post Office. The Chinatown BID would program the closed street, by, for example, putting street furniture out during the daytime.
- A few streets are being considered for designation as a Shared Street on Friday evenings from 6 pm-10 pm in July and August – Mott Street from Canal St to Chatham Square, Pell Street from the Bowery to Mott Street, and Mosco Street from Mott Street to Mulberry Street. A Shared Street is a roadway designed for slow travel speeds where pedestrians, cyclists, and motorists all share the right of way. Vehicles are advised to drive 5 MPH; and

WHEREAS, all of the streets proposed for Seasonal Closure or Shared Streets are narrow with very narrow sidewalks. In effect they already operate similar to how a designated Shared Street would operate, but without benefit of adequate planning; and

WHEREAS, the programming/closure of the Seasonal Closure or Shared Streets would take into account overall circulation, building access, emergency access, sanitation, deliveries, pick-up and drop-offs, and parking; and

WHEREAS, DOT and the Chinatown BID will provide promotion, signage, amenities, programming, sanitation, and a monitoring plan; so

THEREFORE BE IT RESOLVED, that Community Board 3 approves of the conceptual programming ~~that was presented to the CB 3 Transportation Committee on May 9,~~ for both the seasonal closure of Doyers Street and the Friday evening Shared Streets operation of Mott Street, Pell Street and ~~Mosco Doyers~~ Street in the historic core of Chinatown during 2017; and

THEREFORE BE IT FURTHER RESOLVED, that Community Board 3 asks DOT the Chinatown BID to return to CB 3 with the detailed programming for the Seasonal Closure and Shared Streets designations before implementation.

5. Two Bridges weekend walk, June 24 and Sept 23, Rutgers Street, between Madison St and E Broadway

VOTE: TITLE: Recommendation to Support Two Bridges Weekend Walk

Community Board 3 hereby supports the Two Bridges Weekend Walk, to be held June 3, 2017 and September 23, 2017 from 9 am – 4 pm on Rutgers Street between Madison Street and East Broadway.

6. Street co-name request 7th Street between 2nd Avenue and 3rd Avenue to be co-named Moises Locon

VOTE: TITLE: Support for street co-naming for Moises Locon, 7th Street between 2nd Avenue and 3rd Avenue

WHEREAS, Moises Ismael Locón Yac, an employee at Sushi Park Restaurant on 2nd Avenue between 7th Street and St Marks, died in the East Village gas explosion in 2015 at the age of 26; and

WHEREAS, Moises was born in Guatemala and came to the United States in 2008. Though he resided in Queens, he spent a great deal of time in the East Village; and

WHEREAS, Moises has been described as hard-working, taking on long shifts 6 days per week at the sushi restaurant and saving the money he earned in hopes of one day returning to Guatemala; and

WHEREAS, as a result of the increase in attention the 2015 East Village gas explosion brought to the issue of gas safety, on December 6, 2016 Mayor Bill de Blasio signed ten City Council gas safety bills into law; and

WHEREAS, residents of the East Village organized to support co-naming the street where Moises worked in his honor. They presented petitions and letters from 288 residents and many of the businesses on the block, as well as the local City Councilwoman; so

THEREFORE BE IT RESOLVED, Community Board 3 supports the co-naming of 7th Street between 2nd Avenue and 3rd Avenue in honor of Moises Locón.

7. Street co-name request 2nd Avenue between 7th Street and St. Marks Place to be co-named Nicholas Figueroa

VOTE: TITLE: Support for street co-naming for Nicholas Figueroa, 2nd Avenue between 7th Street and St Marks Place

WHEREAS, Nicholas Figueroa, a native New Yorker, died in the East Village gas explosion in 2015 at the age of 23 while dining at the Sushi Park Restaurant on 2nd Avenue between 7th Street and St Marks; and

WHEREAS, Nicholas, of Puerto Rican descent, was raised on the Upper West Side and East Harlem and eventually graduated from Buffalo State College; and

WHEREAS, Nicholas has been described as adventurous, family-oriented, and always happy; and

WHEREAS, as a result of the increase in attention the 2015 East Village gas explosion brought to the issue of gas safety, on December 6, 2016 Mayor Bill de Blasio signed ten City Council gas safety bills into law; and

WHEREAS, residents of the East Village organized to support co-naming a street in honor of Nicholas. They presented petitions and letters from 288 residents and many of the businesses on the block, as well as the local City Councilwoman; so

THEREFORE BE IT RESOLVED, Community Board 3 supports the co-naming of 2nd Avenue between 7th Street and St Marks Place in honor of Nicholas Figueroa.

8. Street co-name request E 2nd St btwn Ave A and Ave B to be co-named for Mary Spink

VOTE: TITLE: Support for street co-naming for Mary Spink, E 2nd Street between Avenues A and B

WHEREAS, Mary Spink, the longtime activist and resident of the block of East 2nd Street between Avenues A and B, died in 2012 at the age of 65 after many decades of service to this community; and

WHEREAS, Mary was executive director of Lower East Side People's Mutual Housing Association and a valued member of Community Board 3, as well as a board member of the LES People's Federal Credit Union, the LES Girls Club, and many more organizations; and

WHEREAS, Mary has been described as passionate, hard-working, determined, resilient, and a person who always made time to volunteer for causes she cared about. Her work in preserving and creating affordable housing on the Lower East Side has left a lasting legacy on the district; and

WHEREAS, the Lower East Side People's Mutual Housing Association organized to support co-naming the street where she lived in her honor. They presented petitions and letters from 365 residents and many of the businesses on the block, as well as the local City Councilwoman; so

THEREFORE BE IT RESOLVED, Community Board 3 supports the co-naming of East 2nd Street between Avenues A and B in honor of Mary Spink.

9. Planning for agenda topics

no vote necessary

10. Support for: Delancey Street Bike Lane as presented by DOT in April

VOTE: TITLE: Approve Delancey Street Protected Bike Lanes and Safety Improvements

WHEREAS, in its presentation at the April 2017 meeting of the Community Board 3 Transportation, Public Safety, and Environment Committee, DOT proposed the installation of a two-way protected bike lane on Delancey Street between the Williamsburg Bridge (at Clinton Street) and Chrystie Street, adjacent to the median on the east-bound side of Delancey Street; and

WHEREAS, this Delancey Street bike lane would create direct connections between the bike facilities on the Williamsburg Bridge, Allen Street and Chrystie Street; and

WHEREAS, there would be a reduction from four to three moving lanes for east-bound traffic between Allen Street and Norfolk Street, which DOT explained would be sufficient for the level of traffic observed during the 5:00 P.M. to 6:00 P.M. peak hour; and

WHEREAS, there will be a protected bike box at the center of the intersection of Allen Street and Delancey Street to provide southbound cyclists making a left turn onto Delancey Street with a safe, efficient bike connection; and

WHEREAS, construction would begin in Spring 2018; and

WHEREAS, at the Community Board 3 Transportation, Public Safety, and Environment Committee meeting two suggestions were made to help with safe rollout:

- There is a severe ponding condition on the median at Norfolk Street where the bike lane is proposed that needs to be corrected before installing any bike lanes; and
- Measures will be needed to educate the cyclists and pedestrians about the two-way operation through street outreach and possibly additional signage; so

THEREFORE BE IT RESOLVED, that Community Board 3 approves of the installation of the Delancey Street Protected Bike Lanes and Safety Improvements; and

THEREFORE BE IT FURTHER RESOLVED, that CB 3 asks DOT to address the ponding conditions at Norfolk Street and to develop a program to educate cyclists and pedestrians when the new bike lane becomes operational.

11. Planning for District Needs
no vote necessary
12. Vote to Adjourn
approved by committee

SLA & DCA Licensing Committee
minutes to come

Robert Dobruskin, AICP
New York City Department of City Planning
120 Broadway, 31st Floor
New York, New York 10271

RE: CB3 Comments on Draft Scope of Work for Two
Bridges LSRD

Dear Mr. Dobruskin,

The following details the comments of Community Board 3 (“CB3”) on the Draft Scope of Work (“Scope”) for the Draft Environmental Impact Statement (“DEIS”) that will study the environmental impacts for the proposed amendments to the Two Bridges Large Scale Residential Development Plan (LSRD).

Project description, & purpose and need of the proposed action

The proposed project will introduce building forms to this neighborhood that are new to the District and contrary to local plans. These building forms were not considered possible, considering the Large-Scale Residential Development Plan that governs the area.

The project as described will introduce new building forms, informally referred to as “super-talls,” to a district composed largely of medium density housing. While the underlying zoning allows such density, the right to build under those densities was removed with the adoption of the Large-Scale Residential Development Plan (LSRD) in 1972. The LSRD plan limited the development on the site to, generally, what can be seen there now: developments of between 3.5 and 4.9 FAR, with buildings ranging from one to 26 stories, surrounded by open space. The existing level of development is in-scale and in context with the surrounding development.

The primary governance of the use, mass and plan of this site is the LSRD, not the underlying zoning. Considering the scale of the change proposed, the determination that this action is a minor modification of the LSRD should not rest solely on the underlying zoning.

The amendment of the LSRD plan is not a minor modification. The CPC needs to better explain and justify its decision on how they reached their determination that the project is a minor modification. It should be done as quickly as possible before the Final Scope of Work or the DEIS are released.

On August 11, 2016, the Chair of the City Planning Commission Carl Weisbrod explained the CPC’s decision to classify this action as a minor modification. This decision meant that the action avoided a full ULURP action. In that letter, he agreed to perform an environmental review but he also justified the continued classification of the action as a minor modification by quoting Section 2-(6)(g)(5)(ii) of the Rules of the City of New York regarding ULURP.

CB3 notes that these rules do not say that this project must be classified as a minor modification, only that it may be classified as a minor modification if the CPC so determines. One of the considerations the CPC must consider when making this determination is if the amendment, “increases the height, bulk, envelope or floor area . . . or major elements of the site plan.” It is

astounding that the CPC saw the proposed changes to the site plan, read the Rules of the City of New York, and still found that these changes to the LSRD constituted a minor modification. Because of the apparent absurdity of this position, CB3 has concerns about whether the CPC fully considered all conditions the Rules of the City of New York instructs the CPC to follow when making this decision. CB3 questions whether the CPC may have made this decision arbitrarily, or at least not following all the considerations for this decision listed under the Rules of the City of New York. For example, will the Lead Agency provide evidence that that it reviewed, “earlier hearings at the community board or Commission” as required by the Rules of the City of New York, by releasing transcripts and/or other materials that documented those earlier CPC and Community Board hearings?

The purpose and need for the proposed action needs to better justify the scale of the change.

CB3 recognizes the value of the proposed 694 units of affordable housing. The project description needs to provide more detail regarding these units.

- Will they be permanently affordable?
- Will they all be on-site or may some be placed off-site?
- What AMIs will they serve? If this has not yet been determined, what are the possible AMIs that will be served and when will the decision be made regarding AMI levels?
- How well do the targeted AMIs match with the community’s current AMIs? Or in other words, will the affordable housing provided in the buildings match the community AMIs?
- Will the applicant be getting public subsidies for the provision of such affordable housing? Or in other words, will public subsidy support affordable housing in this building that could be used elsewhere in the community?

Other than the development of new and affordable housing, provide additional explanation for the project need and justifications for the action.

Please better explain how the proposed development is consistent with the development goals of Two Bridges LSRD.

The drawings describing the buildings allowed by the proposed action are not detailed enough, have errors, and need improvements and additions so that the scope of the regulatory action is clear.

Cherry Street is a wide street, but it is alternately described as a wide and narrow street depending on the drawing. Clinton Street is described as an “80 foot narrow street,” which is not possible since according to the Zoning Resolution all streets 75 feet and wider are wide streets. South Street is described as a 70 foot narrow street, but it unclear if this is the size of the mapped street or just the street excluding the bike lane. South Street is also unusual as it is partially under the FDR, which results in two overlapping mapped streets. Do two overlapping mapped streets that together are more than 75 feet constitute a wide street for the purposes of zoning?

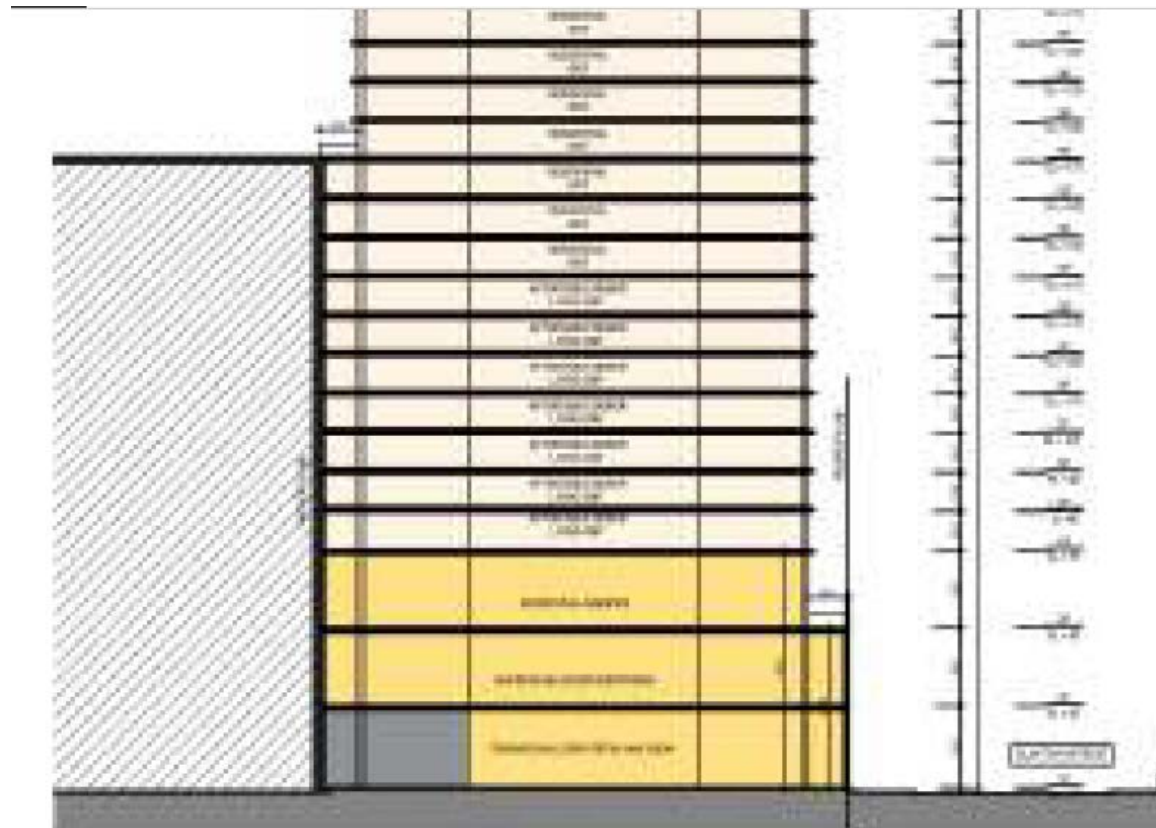
This matters because the required setback of the towers vary according to the width of the street on which they front. The street widths need to be accurately described on the drawings. Further,

Appendix A. Early draft for review and edit

in part because of the errors in the street widths, and in part because there is missing data in the description of the proposed action, it is unclear if the developments are completely as-of-right under C6-4 zoning or if they too will require modifications under the LSRD to allow them to comply. Table A of Appendix A appears to be an attempt to show zoning compliance, but it fails by leaving out critical elements of zoning compliance (e.g. tower coverage), and answers are not consistent from site to site. This table should read: regulated element (e.g. yards, tower coverage, FAR, etc.), what is allowed in the district, what is proposed, and then if the project complies. This table appears to have been cobbled together from the developers, each of which are using different standards, with no attempt to make it consistent or meaningful.

If the project is shown to require relief from some element of compliance with underlying C6-4 zoning under the amended LSRD, then there needs to be drawings demonstrating what element of the project will need relief under the LSRD. This will disclose the magnitude of the change this LSRD requires from the existing underlying zoning to the Lead Agency and the public.

Further, because information about the project come from different developers, they all follow different standards in their drawings, produced at different resolutions, which makes them difficult to compare. For example, the following is a detail of the Site 6 Illustrative Section (Figure 12), which shows that the text on the drawing cannot be read, as reproduced below:



Drawings that include numbers and text that cannot be read need to be corrected. All drawings need to be legible and should follow the same standards so they can be more easily compared. For example, site six seems to have a much more reasonable use of mechanical space when

compared with site 4A/B. However, it is difficult to say with certainty because the drawing is not legible and the drawings use different standards. The Lead Agency should select a standard and then instruct the individual developers to submit drawings that follow that single standard so that the scope of the project is clearly disclosed to the public.

Alternatives to the project as proposed

The DEIS should study a lower-scale alternative that adds additional housing and affordable housing above the no action alternative, but which is more in scale with the surrounding neighborhood. It may be modeled after the plan for the area produced by the Chinatown Working Group (CWG).

Further, the DEIS should study an alternative that does not add unnecessary height to the proposed project. For example, the building proposed on site 4A/B is proposed for 1008 feet to the top of the mechanicals. This height includes 15 floors of mechanical spaces and voids that add 324 feet to the building height and which, presumably, do not count against zoning floor area. While ample mechanical spaces make for good buildings, devoting nearly 1/3 of the building's height to mechanical spaces is extraordinary and introduces bulk to the neighborhood which provides only impacts and no benefits to the surrounding residents.

Land Use, Zoning, and Public Policy

Considering the size of the project, a quarter-mile study area is likely too small to capture all the indirect impacts, especially to the north and west. Because of project's location along the water a uniform study area is not warranted, but should extend further inland than the 1/4 mile proposed. As instructed in the CEQR Technical Manual, "the study area does not have to be regular in shape" and in this case shouldn't be: the study area should extend to at least to Grand Street and then follow Bowery Street to Oliver Street to the shoreline. The size of such a study area will be similar as the 1/4 mile radius proposed, but will cover neighborhoods likely to feel indirect impacts by shifting it inland.

The list of projects expected to be built in the study area (No Action projects) should be cross-reference with the soft-sites collected in the CWG plan to ensure that none are missed.

CB3 is aware of discussions of NYCHA and New York City facilitating infill on nearby public housing estates. If the proposed action changes the AMI mix of the neighborhood (see Neighborhood Character) will it be more or less likely a policy regarding NYCHA infill will be implemented?

Socioeconomic conditions

Indirect Residential Displacement

The method described in the CEQR Technical Manual for assessing indirect residential displacement is wholly inadequate for this area, as it assumes that all older larger buildings have tenants that are rent protected and insulated from increases in rent due to changes in market rate rent. With the erosions of rent stabilized units over the past 20 years this assumption is clearly not true. To properly do this analysis, it will be critical to determine the number of units that are market-rate rentals, while will require collecting data on rent stabilized units by building. US Census Data or RPAD data will not get at this count, which DCP may be able to get from New

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York State Department of Homes and Community Renewal, HPD, from each building's tax for or a combination thereof. But a method which does not attempt to get a real count and understanding of market conditions in mixed market/stabilized buildings will likely understate the impact because the base data are wrong.

Further, because of the size of this project and the number of market rate units, the study area should at least match the study area described in Land Use, Zoning, and Public Policy.

Indirect displacement should also attempt to identify the people who are most at risk: especially those who do not speak English as a first language, so a mitigation program can be developed that are able to reach those most in need.

The lead agency should consider anti-harassment measures to help protect those in rent stabilized units and if significant impacts are shown, direct HPD to help mitigate those impacts by developing a Housing Plan, like those written for East New York and East Harlem, that targets buildings and tenants in the area for increased availability of funding for both new and existing regulated buildings in the area.

Indirect Business Displacement

For Indirect Business Displacement, the Scope of Work focuses on businesses that are, "essential to the local economy." Residents of this area are often linguistically isolated and there are many local businesses that specifically service the needs of these linguistically isolated populations. Displacement of businesses that provide goods and services to non-English language speakers is the displacement of businesses that are, "essential to the local economy" since if these establishments are displaced, the residents may lose essential services. Consequently, when determining which businesses are "essential to the local economy," the DEIS should study not only the size of the business, but the populations that they serve and the choices those populations have if these businesses were to be displaced.

Community Facilities and Services

SCHOOLS:

The data from the CEQR technical manual for student generation is both out-of-date and imprecise. It is based upon queries of the 2000 Census PUMS file and is for all of Manhattan, rather than localized areas. The student generation tables need to be updated. Simply the New York City of 2000 does not exist anymore. The analysis should be done using generation tables developed from the most current American Community Survey PUMS file, and the query should be more geographically targeted to CD3, rather than just assuming all of Manhattan functions the same when it comes to child generation. If these changes are not made, the DEIS will likely understate the impact on local schools, especially elementary schools.

The project is at the very edge of School District 1, which is a very small un-zoned district. When evaluating capacity for elementary schools, the analysis should look only at elementary schools in the sub-district, if one exists for School District 1. If School District 1 has no sub-districts, the analysis of capacity should examine the three closest elementary schools (PS 137, 134 and 110.)

PUBLICLY FUNDED CHILD CARE

The CEQR Technical Manual has not been updated since Universal Pre-K has been instituted in New York City, and the DEIS needs to evaluate the needs care and education needs of children in both pre-k in schools and in publicly funding child care (ACS, Head-Start) jointly. Nevertheless, capacity analysis of child care funded by ACS and Head-Start should also consider waiting lists for these facilities. If capacity for publicly funded child care is too low for the needs of the new project, a new on-site facility may be required to mitigate the impact.

LIBRARIES:

Library utilization is much less about items circulating, and much more about services that are obtained by residents in the branches. When examining the capacity of the local libraries in the catchment area, the DEIS should examine how many people local branch libraries can hold, and how many people are actually there during the most popular hours and compare this number to the number of people in the catchment area to determine a capacity and utilization rate for the library services. Using these rates, the capacity and utilization of each branch library can be calculated and the impact of the project on the capacity be estimated.

HEALTH CARE FACILITIES:

As recommended by the CEQR Technical Manual, the Draft Scope of Work includes no analysis of health care facilities. Due to the critical lack of health care facilities in lower Manhattan, however, which has been exacerbated by the loss of the diminution of service of several facilities, there is already a critical need for additional capacity in health care facilities in the area, which will only be exacerbated with the addition of so many additional residents. Community District 3 Needs Assessment states: “CD3 is a federally designated health professional shortage area in the fields of primary care, dental care, and mental health.” And there is no actionable plan to improve access to these services. The DEIS should study the capacity of the health care system and project how much further these new residents will increase that utilization rate and discuss ways the City may start to mitigate the impacts of the lack of service in this area.

Open Space

According to the CEQR Technical Manual, Open Space may be either publicly accessible, or private, but that only publicly accessible is used in the quantitative analysis, but private open space is a qualitative measure.

Because of several “tower-in-the-park” buildings, the immediate surrounding area has ample private open spaces, with the proposed development adding more to that number. Consequently the Open Space analysis should focus solely on publicly accessible open spaces. Private open spaces are not a mitigating factor to the lack of public open spaces in this community. While these private spaces are often used informally by the public because of the lack of public open spaces, continue access is not assured even from day-to-day.

If the proposed project demonstrates impacts on public open spaces mitigation, the Lead Agency should consider making all or some of the private open space proposed in the projects open and accessible to the public, with minimum standards for amenities offered, much as is done with plazas and other privately owned, publicly accessible open spaces.

Shadows

The water should be classified as a shadow sensitive resource and impacts on the submerged aquatic vegetation and the benthic community should be assessed.

Because of the lack of public open space in the community, open spaces in large housing projects are often informally used by the public even though they may technically be privately owned. Open spaces that are frequently used by the public should be classified as shadow sensitive resources regardless of their ownership, and the impacts on these spaces should be assessed and, if necessary, mitigated.

Historic and Cultural Resources

The study area for historic and cultural resources needs to be larger considering the size of the proposed buildings. A historic resource that experiences a shadow impact is close enough to be in the study area for Historic and Cultural Resources.

Urban Design and Visual Resources

The DEIS should disclose where view corridors to the water will be obstructed

Transportation

Because the area has is inconvenient to the larger subway network, there is great concern in the community over the project's impact on surface transportation. Care should be taken when determining the mode split for new residents as they will likely not follow typical Manhattan patterns due to the project's distance to the subway. Mode split may be more like waterfront developments in Brooklyn and Queens than elsewhere in Manhattan.

That said, in addition to the East Broadway station on the F, the Grand Street Station on the B and D line will likely get additional usage from the development, as it is the closet stop to get riders to Downtown Brooklyn. Yet no trips are assigned to the Grand Street station. Because of the relative lack of subways in the area, residents of the new development may be willing to travel further than the typical Manhattan resident for the subway. A line-haul analysis should be conducted of the B and D subway lines as well.

The condition of the East Broadway station is terrible. Any capacity analysis of this station's stairways and platforms should take into account its current lack of maintenance.

There also needs to be a capacity analysis of the bus routes serving the area. The addition such a large number of residents in an area without good subway access, and no additional on-site parking, suggests that buses will get a larger than typical proportion of the mode split. If significant impacts are shown, the Lead Agency should work the MTA/NYCT to increase service along the lines that are projected to be impacted to mitigate the impact.

Traffic counts and patterns in the area have seen rapid changes, especially with the advent of Uber and ride share services. The DEIS should use no counts more than three years old and we strongly urge new counts be collected for the baseline analysis.

The Scope states that only on-site parking will be examined. The DEIS should also perform an on-street parking analysis as detailed in the CEQR Technical Manual. This analysis should

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include a detailed map indicating the key parking regulations on block faces within convenient walking distance of the project site.

The Scope is silent on how parking shortfall is determined. The threshold should be clearly stated and justified. Further, any shortfall that may be met by on-site parking further than ¼ mile from the project site, should be considered when developing mitigation plans for unmet shortfall created by the project.

There needs to be consistency between the parking study area and the traffic study area. If the Grand and Clinton parking garage are in the parking survey, the surrounding intersections should be studied in the traffic analysis. We are also concerned about the assignment method being used in the technical memo included with the Scope, since it does not have vehicular trip assignments on Grand Street or on Clinton Street, north of Henry Street.

Climate Change

Flood Resiliency:

The DEIS should include an explanation and justification of the “Future Flood Level” projections used in the Flood Elevation Worksheet. Flood projections should extend the expected life of the buildings, or 100 years.

Neighborhood Character

Two Bridges’ diversity and affordability give the neighborhood its character. Therefore, the project’s impact on neighborhood character should focus on socio-economic diversity and impacts on people of color, immigrants, and non-English speaking populations. The study area for Neighborhood Character, since it is so directly related to the residents should follow the same study area described in Land Use, Zoning and Public Policy.

To understand the project’s impact on Neighborhood Character the DEIS should include the following analysis:

The current distribution of households by AMI should be disclosed. Then the Future No-Action alternative distribution of households by AMI should be disclosed. Finally, the Future With-Action distribution of households by AMI should be disclosed. The No-Action household AMI distribution should be compared with the With-Action household AMI distribution with the difference disclosing how the income mix of the neighborhood is expected to change under With-Action conditions. Understanding how the action will impact the area’s AMI levels is critical to understanding change in neighborhood character.

As with AMI’s, Neighborhood Character should also show how affordable and market rate housing units will change in the study area, showing how existing conditions housing unit, No-Action alternative and the With-Action alternative compare when analyzing changes to market/affordable housing.

Alternatives

The DEIS should study a lower-scale alternative that adds additional housing and affordable housing above the no action alternative, but which is more in scale with the surrounding

neighborhood. It may be modeled after the plan for the area produced by the Chinatown Working Group.

Further, the DEIS should study an alternative that does not add unnecessary height to the proposed project. For example, the building proposed on site 4A/B is proposed for 1008 feet to the top of the mechanicals. This height includes 15 floors of mechanical spaces and voids that add 324 feet to the building height and which, presumably, do not count against zoning floor area. While ample mechanical spaces make for good buildings, devoting nearly 1/3 of the building's height to mechanical spaces is extraordinary and introduces bulk to the neighborhood which provides only impacts and no benefits to the surrounding residents.