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COMMUNITY BOARD NO. 2, MANHATTAN

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Greenwich Village v Little Italy v SoHo v NoHo v Hudson Square v Chinatown v Gansevoort Market

March 3, 2023

Anthony Perez
Manhattan Borough Commissioner
The Arsenal, Central Park, 830 5th Ave. Rm. 203
New York, NY 10065

Dear Manhattan Borough Commissioner Perez:

At its Full Board meeting February 16, 2023, Community Board #2, adopted the following resolution:

A Resolution Regarding the Proposal to start a scoping process for the southern section of the lot at 388 Hudson St

Whereas:

HISTORY OF THE SITE

1. In various letters and a 1998 Project Proposal letter, a commitment was made by the DEP to the DPR and CB2, to return the entire City Water Tunnel #3 site (25,000sf) at 388 Hudson to the community with DEP retaining only an easement for access as needed to maintain the site.
2. This commitment was the result of substantial advocacy by local community groups including Greenwich Village Little League, Downtown United Soccer Club and City-As-School High School. CB2, in a December 1998 resolution, supported this plan.
3. An important consideration for supporting this use was the unmet neighborhood need for places for children to play sports.
4. CB2's expectations and support were consistent over the next 17 years, but since 1998 access to ballfields on the west side of lower Manhattan has increased substantially, with large new fields at Pier 40, Chelsea Waterside Park, and Battery Parks City, and with the soon-to-be completed field at Gansevoort Peninsula, while a large quantity of new housing units, though no affordable housing, has been added to our district.
5. The 2013 Hudson Square rezoning established an Active Open Fund (Fund) to mitigate the negative impact on active open space from new residential development, as defined in a March 2013 Restrictive Declaration.
6. In [2015, CB2 passed a resolution](#) stating that it "strongly supports a substantial reduction of the amount of promised public open space at the Hudson Street water tunnel shaft site (28b) so affordable housing

- and indoor recreation can be developed there, but only if community open space needs are addressed, and specifically, only if Elizabeth Street Garden is preserved as a public park;”
7. In [2016, CB2 passed a resolution](#) urging “the New York City Department of Housing and Preservation Development to convene and co-lead with Community Board 2 a Task Force to consider all possible sites and to establish and achieve bold goals for development of new affordable housing in the District;”
 8. This full site has been split into two sections (north and south) as outlined in a 2017 Memo Of Understanding (MOU) between DEP and DPR. The MOU states that the northern section would revert to the City’s Department of Citywide Administrative Services (DCAS) when the water-tunnel construction project was completed.
 9. In the August 2018 Department of City Planning (DCP) resolution supporting expansion of the Hudson Square Business Improvement District (BID) north to Clarkson Street, the City mandated the creation of an Active Open Space Special Improvement Fund which would be funded by a one-time assessment by each property that was new, converted or enlarged in the Special Hudson Square District on or after March 20, 2013. That 2018 DCP resolution allowed the Hudson Square BID to manage these funds as the DMA (District Management Association). Allocation of these funds would be determined by the New York City Department of Parks and Recreation for active recreation uses. That fund totals roughly \$5.7 million as of June 30, 2022.
 10. In [January 2019, CB2 passed a resolution](#) stating that it encouraged “the City to reconsider the Alternative Site at 388 Hudson Street because it could support four to five times more Senior AH [Affordable Housing] and preserve Elizabeth Street Garden, but because 388 Hudson Street was promised a park for nearly 20 years, CB2 would support switching 388 Hudson from park to affordable housing use only if the Garden is preserved in its entirety”.

CURRENT CONDITIONS

11. The complete site is now ready to be returned to the community. Currently, it is surrounded by fencing and the southern parcel (11,375sf) is clear except for the DEP access points and air vents which require permanent access for maintenance and in case of emergency. This places constraints on uses of the space.
12. NYC, Borough President Mark Levine and CB2 have previously identified the northern section for affordable housing, though no definitive plans have been shared with CB2 to date.
13. On January 26, 2023, the DPR appeared before our committee and proposed starting a scoping process for the southern section of the lot.
14. The DPR noted that the Mayor and Borough President have already allocated \$2.6M of funding for this project--separate from the Active Open Space Special Improvement Fund (AOSSIF)--though the DPR feels the project would qualify to receive additional funding from the AOSSIF for development.
15. The DPR suggested that the open space on the southern parcel, when complete, would be similar in terms of features and design to the two other water tunnel sites already completed at East 4th at Bowery and Grand & Lafayette.
16. The DPR reminded CB2 of the constraints on development of the space, due to DEP requiring unfettered access to vents, access stairs and standing pipes.
17. DPR noted that the full project, from the start of scoping to development completion, can be expected to take roughly three years.
18. DPR representatives were unable to definitively answer whether the full site (northern and southern parcels) might someday become available as one contiguous open space; whether open space on the southern parcel could be effectively designed without knowing future plans for the northern parcel; whether the monies that the BID administers are permitted to be used for passive (not active) recreation.
19. The closing of the Tony Dapolito Recreation Center--always a compromised facility for indoor recreation, and now closed with no sure date for re-opening—has increased the need for a new indoor recreation center.

Therefore, be it Resolved that CB 2, Manhattan supports starting the scoping of the southern area at 388 Hudson for what is likely to be a passive open space, though we believe that outdoor and/or indoor space for active recreation is still required in our park-starved neighborhood, but seeks clarification on the following items in a timely manner:

1. Reevaluation of the best uses for the Southern Parcel at 388 Hudson.
2. Consultation with DEP to determine the actual extent of the area needed for its access.
3. Clarification of the use limitations of the Active Open Space Special Improvement Fund: Is it only able to be used for active recreation spaces or also for open space improvements more generally?
4. Specification of other potential receiving sites for the Active Open Space Special Improvement Fund in the Hudson Square Rezoning Final Environment Impact Study (FEIS) area.
5. A “master plan” for the entire area, including the block where the Tony Dapolito Recreation Center and James J Walker Field stand.

Be it further resolved that CB2 recommends that recognizing the access required by DEP on the southern parcel, the design include as many active uses as possible, including for example, temporary structures allowing for activities such as pickleball, basketball, or skateboarding.

Be it further resolved that CB2 advises that any scoping should include outreach to and the involvement of local residents, local school communities -- including the adjacent City-As-School High School and M721, Manhattan Occupational Training Center -- and local businesses.

Vote: Passed, 34 Board Members in favor
5 No (K. Berger, C. Dignes, R. Kessler, S. Smith, A. Zeldin)
1 Recusal (J. Kiely)
2 Abstain (R. Sanz, A. Wong)

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Jeannine Kiely, Chair
Community Board #2, Manhattan



Richard Caccappolo, Chair
Parks/Waterfront Committee
Community Board #2, Manhattan

JK/EM

cc: Hon. Brian Kavanagh, State Senator
Hon. Deborah Glick, Assembly Member
Hon. Mark Levine, Man. Borough President
Hon. Erik Bottcher, NYC Council Member