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COMMUNITY BOARD NO. 2, MANHATTAN

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

December 21, 2015

Vicki Been, Commissioner
NYC Department of Housing Preservation
& Development
100 Gold Street
New York, NY 10038

Emily Lloyd, Commissioner
NYC Department of Environmental Protection
59-17 Junction Blvd., 19 Floor
Flushing NY 11373

Dear Commissioners Been and Lloyd:

At its Full Board Committee meeting on December 17, 2015, Community Board #2, Manhattan adopted the following resolution:

A resolution to assure the best public use of three sites in CB2, Man. where the Department of Environmental Protection has completed work on shafts, piping, and equipment to connect Water Tunnel #3 to the water distribution system:

Whereas

1. Almost a half century ago, the New York City Department of Environmental Protection initiated a massive project to protect the city's water supply by building Water Tunnel #3.
2. Almost twenty years ago, with the Manhattan leg of the tunnel finally nearing completion, DEP began the process of site selection for multiple shafts needed to connect water mains with the tunnel, as much as 600 feet below.
3. Below 14th Street, the Manhattan leg extends through the west side of Community Board 2, into CB1, and loops back up the east side of CB2, with four shafts in CB2 and one in CB1.
4. The much-delayed work on these five shafts is now complete but three of the five sites remain vacant lots causing continued harm to local businesses and residents.
5. There was a large turnout at the joint committee hearing and by a show of hands strong support was indicated for accessible open space at all sites.
6. Speakers unanimously emphasized the need for new public open space; four residents of St. Luke's Place and Morton Street spoke against use of the Hudson Street site (28b) for any building, including affordable housing; and four people spoke in support of saving Elizabeth Street Garden and urged CB2 to seek an alternative site for affordable housing.
7. Current conditions are as follow:

- a) **The Gansevoort Street site (27b)** is located beneath the street bed and sidewalk on Gansevoort Street, east of Hudson Street, north of Seravalli Park. The restoration work is now complete. The valve chamber is located partial under the park and partially under the adjacent sidewalk. The ventilation tubes and access hatches above the valve chamber are located in publicly accessible areas on the sidewalk just outside the park fence. The connections to the mains extend east and west with all of the numerous manholes located in the streets and sidewalks.
- b) **The Hudson Street site (28b)** is located beneath a lot on the east side of Hudson Street, extending the full block between West Houston Street and Clarkson Street. It abuts the west side of City-as-a-School building and is across the street from J.J. Walker Park. The site is now a vacant gravel lot, 200 feet long by 125 feet deep, filled with weeds and litter and surrounded by a temporary construction fence. The valve chamber with its ventilation tubes and access hatches is located entirely south of a line parallel to Houston Street and 47 feet from the south edge of the site. All connections to mains extend south and west with multiple manholes inside the lot and in publicly accessible areas in the sidewalk and street near the southwest corner of the lot.
- c) **The Holland Tunnel Exit Area site (29b)** is located beneath a large public sitting area located on the east side of Hudson Street, south of Laight Street, in CB1. The sitting area is on Port Authority property on a block that provides the space for the Holland Tunnel exit ramps. The restoration work is complete. The valve chamber and associated ventilation tubes and access hatches are located beneath the publicly accessible sitting area and adjacent sidewalk, and numerous manholes are all located in the street and sidewalk to the west.
- d) **The Grand Lafayette site (30b)** is located beneath a corner lot extending 110 feet along the north side of Grand Street and 130 feet along the west side of Lafayette Street. The valve chamber and associated ventilation tubes and access hatches are on the north side of the lot with connections to the mains extending within the lot to the south. Numerous manholes are scattered throughout the lot and on the sidewalk and street bed on Grand Street. The site is now a gravel lot, vacant and trash strewn on the north side, and still filled with construction materials and debris on the south, all surrounded with a temporary construction fence.
- e) **The East 4th Street site (31b)** is located on a 75-foot wide lot on the north side of East 4th Street, abutting Merchants House Museum to the west and the landmarked Samuel Tredwell Skidmore House to the east. The valve chamber and associated ventilation tubes and access hatches are at the rear of the lot, with connections to the mains extending south and then along East 4th Street. There are multiple manholes within the lot. The site is now a gravel lot with a temporary construction fence extending along the East 4th Street side between the two individually landmarked buildings.

8. Other relevant considerations regarding future use of the shaft sites are as follow:

- a) Without any public process and without presentation of documentation or other evidence of changes of agency needs, DEP has developed proposals for these sites that contradict these commitments, diminish the associated public benefits, and create fenced in vacant lots that are clearly harmful to neighborhood character and thereby to an beneficial environment for businesses and residents.
- b) Manhattan Community District 2 has an open space ratio of 0.58 acres per 1,000 residents versus the NYC goal of 2.5.
- c) The installations at the Gansevoort Street and Holland Tunnel Exit Area sites show there is no need for fencing to restrict public access to areas above equipment associated with shaft sites. At both sites, valve chambers are located beneath public open space. All ventilation tubes, access hatches, and manholes for these shafts are located entirely within public space including a large sitting area and streets and sidewalks.

- d) DEP has long standing commitments to allow public use of sites 28b, 30b, and 31b. These commitments are documented in letters, community board resolutions, and ULURP documents.
- e) The ULURP documents and other documents indicate that for all sites:
 - i. no fences are required;
 - ii. there are certain areas requiring drivable surfaces and where there can be no permanent structures;
 - iii. to protect equipment from corrosion, no dog runs will be allowed and trees and other large plantings requiring fertilizer use will not be allowed within 20 feet of certain areas;
- e) There is insufficient park space in our densely built-up neighborhoods especially as the population grows and there are no available places for new parks in our district so losing the promise of any new open space is the equivalent of losing actual part space.

9. Specific considerations regarding Grand Lafayette site (30b) are as follow:

- a) As affirmed in the City Planning Commission resolution of April 14, 2004, approving the use of this site, DEP stated a requirement to retain a 4,000 square foot access easement while allowing the remaining 8,500 square feet to be used for public open space.
- b) The CPC resolution also affirmed DEP's commitment to provide funding of \$400,000 through the "percent for art" program to improve the open space.
- c) DEP now proposes to place truck parking and storage at this site with the whole site surrounded by a high fence.
- d) CB2 and Borough President support for the use of this site were based on the benefits to be provided by the promised open space. Clearly, both would have judged a large vacant lot used for truck parking and storage and surrounded by a high fence as detrimental to neighborhood character had that been presented as a future condition in the ULURP application.
- e) Public access areas would be limited to a few seating alcoves with potted trees.
- f) Even with "drivable surfaces", with a creative approach this space can be a significant contributor to the neighborhood including small areas of green space, sitting areas, and open play space for young children.

10. Specific considerations regarding the East 4th Street site (31b) are as follow:

- a) There are no parks in NoHo and this district has an open space ratio of 0.06 acres per 1,000 residents.
- b) The Parks Department identifies as the NoHo neighborhood as "underserved".
- c) As noted in a 1998 letter from DEP to the Parks Department, DEP based this site selection on recommendations from the Parks Department, Community Board 2, the Landmarks Preservation Commission, the Historic House Trust, and "other interested parties."
- d) The current proposal to leave this site as a large vacant lot with a high fence between the Merchants House Museum and the Samuel Tredwell Skidmore House will be a permanent detriment to these two special landmarks.
- e) As shown by completed projects at other sites, there is no need for a high fence.
- f) The city-owned Merchants House Museum was specifically identified as a beneficiary of public open space promised during the ULURP process for this site;
- g) With funding provided by the Percent for Art Program as well funding available through an existing agreement created during development of a neighboring property, a well-designed "museum garden" area would be an important contributor to the future of this important institution, and to one of the most park-starved neighborhoods in New York City.

11. Specific considerations regarding the Hudson Street site (28b) are as follow:

- a) This site was one of two sites considered by DEP for Shaft 28b, the other being a much smaller one located on the corner of Leroy and Greenwich Streets. In 1998, responding to requests from neighborhood youth sports leagues, with support from the Parks Department, DEP chose the larger site based on the value of future public use of the site.
- b) In April 1999, in order to allow future public use of the site, the City Council approved acquisition of the site even as its owner sought to oppose the sale and instead lease the site to DEP during the construction period only.
- c) In the last 15 years, with the development of Hudson River Park and Pier 40, access to active and passive open space uses has dramatically improved in the west side of CB2.
- d) During the same period, the loss of rent-stabilized units and increasing property values have greatly diminished the affordability and diversity of the surrounding neighborhood.
- e) At the same time, Elizabeth Street Garden, a treasured space in the most park-starved portion of the district, is threatened by a plan to build affordable housing.
- f) The 28b site is directly adjacent to the Hudson Square special zoning district. During the ULURP for creation of the district, CB2 identified the need for indoor recreation space as the greatest need to be mitigated during the process and new development in the zone will be required to pay into a fund for this purpose. A gym and other indoor recreation space at this site could be effectively operated by the Parks Department as an annex of Dapolito Recreation Center.
- g) Based on DEP stated access needs, this site can provide an efficient building lot of up to 18,750 square feet in an area that is adjacent to taller buildings in the Hudson Square Special District which can provide an opportunity for far more affordable housing than can be built at the inefficient Elizabeth Street Garden site located in the high restrictive Little Italy Special District.

Therefore it is resolved that CB2, Man.

1. Congratulates DEP on its work on the extraordinary undertaking of Water Tunnel No. 3, essential to protecting our city's water supply.
2. Urges DEP to stand behind its prior commitments and withdraw its recent detrimental proposals for the sites in CB2.
3. Urges DEP to stand behind its prior commitments to turn the sites over to the Parks Department or return them to DCAS until future use is decided.
4. Urges DEP to work diligently with other agencies, elected officials, and CB2, to assure the best uses of these sites to preserve and enhance neighborhood character in the spirit of these commitments.
5. Reiterates its 18-year goal for public open spaces be built and maintained for public use on all three sites following a design process that incorporates community input and review to the fullest extent.
6. There can be no loss of promised open space without designation of new open space in the district.
7. Requests that even where "drivable" surfaces are required, that these be creatively designed to be attractive and allow for flood water retention.
8. Requests that the appropriate Percent For Art Program funds based on project costs for all four sites in CB2, be made available for development of public open space at these sites.
9. Requests that HPD and DCP work with appropriate City Council members and CB2, to develop a proposal for sufficient affordable housing at the Hudson Street site such that the Elizabeth Street

Garden can be preserved as a public park, noting that the project should include affordable housing for seniors, an indoor gym, and public open space on the south side of the site.

10. Reiterates its commitment to preserving in its entirety the beloved public open space at Elizabeth Street Garden, a community center and meeting place for neighbors young and old, and once again rejects destruction of this special oasis in the park-starved east side of our district.
11. 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.

Vote: Passed, with 36 Board members in favor, and 4 in opposition (T. Connor, A. Meadows, R. Sanz, S. Smith).

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

Sincerely,



Tobi Bergman, Chair
Community Board #2, Manhattan



Anita Brandt, Chair
Land Use & Business Development Committee
Community Board #2, Manhattan

TB/fa

- c:
- Hon. Jerrold L. Nadler, Congressman
 - Hon. Deborah Glick, Assembly Member
 - Hon. Daniel Squadron, NY State Senator
 - Hon. Brad Hoylman, NY State Senator
 - Hon. Gale A. Brewer, Manhattan Borough President
 - Hon. Margaret Chin, Council Member
 - Hon. Corey Johnson, Council Member
 - Hon. Rosie Mendez, Council Member