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March 8, 2024

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RE: Fulton and Elliott-Chelsea Houses Redevelopment Project - Draft Scope of Work to Prepare a Draft Environmental Impact Statement

To Whom it May Concern:

Manhattan Community Board 4 (MCB4) writes to respond to the Draft Scope of Work for the proposed Fulton and Elliott-Chelsea Houses Redevelopment Project (FEC). The scale and scope of the proposed project is tremendous, and troubling in its unclear evolution. MCB4 has significant concerns with how the proposed revised redevelopment plan came about. However, in the DEIS Scoping Process, we take our role to provide comments in this process seriously and look forward to continued and consistent presence at the table going forward.

At the core of our concerns are the homes and rights of our neighbors, those who call FEC home. MCB4 recognizes the dire situation that some NYCHA residents live in, which stems from decades of disinvestment and disregard for public housing from all levels of government. The situation we find ourselves in is shameful. But it is also the

reason we are eager to work together diligently to improve the living conditions for FEC residents and ensure a sustainable future for the Chelsea community.

At its duly notified Full Board meeting on Wednesday, March 6, 2024, Manhattan Community Board 4 voted 35 in favor, 0 opposed, 0 abstaining, and 1 present not eligible on this letter.

Discovery via the New York Times

On June 20, 2023, the public discovered via the New York Times that NYCHA, Related Companies, and Essence Development (the Development Team) had created a plan to demolish and redevelop the FEC campuses, replace the NYCHA housing and add approximately 3,500 units of market rate and mixed-income housing.¹ The proposal was a drastic change from the agreed upon PACT/RAD development plan that was hammered out by the Chelsea-NYCHA Working Group (CNWG) from 2019-2021.² The CNWG was made up of a broad group of community members, including NYCHA residents and tenants leaders, MCB4 members, citywide housing policy groups, social service providers, NYCHA, a deputy Mayor, other Mayoral representatives, relevant city agencies, and local elected officials.

Upon learning about the proposed plan, MCB4 worked to bring the public into the conversation and shed light on the newly proposed development. On Wednesday, July 12, 2023, MCB4 hosted an informational session, which was the first time the updated proposal had been shared with the public. In response, MCB4 wrote a letter to the Development Team, which included a long list of questions to better understand the project, including how such a drastic change in the expected scope of work came into being.³

While there has been consistent engagement with the Development Team and MCB4 since that time, many of the Board's original questions remain outstanding.

Community Consideration

As MCB4 has worked to better understand the proposed project and glean information from residents and the Development Team, the Board has repeatedly been caught off guard by what appears to be a blatant disregard for a reasonable public process. Indeed, the lack of consideration for the wider community was evident based on the timeline initially outlined as a part of the DSOW response time. MCB4, along with our elected officials, sought an extension of the comment period to ensure the relevant committees could take up the issue and have this letter voted on by our full board.

While MCB4 is a leader in the planning and promotion of affordable housing

¹[To Improve Public Housing, NYC Moves to Tear it Down](#), June 20, 2023

²[Chelsea NYCHA Working Group Final Report](#), February 2021

³ <https://cbmanhattan.cityofnewyork.us/cb4/wp-content/uploads/sites/10/2023/10/Admin-Letter-to-NYCHA-re-Questions-on-Chelsea-NYCHA-campuses-August-2023-FINAL.pdf>

development, we do so with partners at the table. The drastic change in scope of this project cannot be understated, and it requires thoughtful engagement throughout. At the same time, nearly every New Yorker, elected official, and media outlet agrees there is a serious housing crisis in New York and NYCHA residents are four years into this process already. Many are eager for imminent positive change to the FEC campus and the quality of life improvements that were promised as a part of the CNWG Plan.

Notably, the CNWG Plan supported the transition from HUD Section 9 Rental Subsidy to HUD Project Based Section 8 housing, which MCB4 supports. If any part of this proposal does proceed, the NYCHA replacement units must continue under the Project Based Section 8 Plan, which will provide a higher rental subsidy from the Federal government with the ability to take on a mortgage for the new and ongoing investment in the FEC campus.

Left Outstanding

- It is unclear how a Public Housing Authority is allowing this plan to proceed without the issuance of a new RFP given the change in scope. MCB4 has requested to see the clause that NYCHA is using from the contract and/or RFP to make the RFP allow for such drastic deviation from the agreed upon parameters of the project, which largely ignores the CNWG report. We have no official report on the conditions of the buildings that led to the recommendation for full demolition, only the word of the Development Team.
- The public has been assured that a survey was conducted on the FEC campus among lease-holding residents to inform this proposal. NYCHA represented to MCB4 that a majority of respondents (which represents 60% of the 30% of residents that responded) chose redevelopment and demolition. Yet, the results of that survey have yet to be released though MCB4 has been requesting that the survey be made public since August 2023. Given the public nature of this project, which is indeed taking place on land owned by a Public Housing Authority, the results should be released immediately, including a breakdown by campus and building. If the results do not indicate a significant majority of tenants are in favor of demolition and reconstruction, an independent agency certified to administer a vote of resident's preferences should be retained, and consideration for a new vote should be explored. The Development Team has said, with great fanfare, that they are following the will of NYCHA residents. But, its refusal to publish the survey results has resulted in growing distrust among tenants and in the community.
- MCB4 has a long history with large scale, complicated projects. All include detailed financial plans and underwriting. Again, given the public nature of this project and that the final machination will provide the needed capital to renovate or rebuild NYCHA housing, the plans for how this will be financed – and finished – remain unclear. We renew our request for financial transparency given the public nature of this proposed development which includes NYCHA housing, affordable housing, and market rate housing on public owned land.

- New York is rife with examples of bad planning decisions, often steeped in racism and the diminution of urban life stemming from the middle part of the 20th Century. It is alarming that this proposal will continue to segregate the community through the separation of NYCHA housing in buildings wholly separate from the new market rate and affordable housing. The development plan is counter to the long-term general practice of this Community Board, and indeed, the lived experience of many New Yorkers who believe and advocate for integration, mixed-use and mixed-income communities that work to reflect the fabric of the city on each block. Furthermore, parts of this proposal are counter to the goals outlined by New York City’s Housing Preservation and Development “Where We Live NYC” report and framework for how communities and the city should address inequities through planning and development based on mistakes learned from the past and best practices for the future.⁴
- Given the proposed segregation, it’s alarming that 70% of NYCHA’s land on this project will be used for the new, market rate and mixed-income housing, leaving just 30% for existing NYCHA housing. It’s hard to imagine that levels and quality of service will remain the same for all buildings given their delineation on the very land that’s making this proposal a possibility.
- The plan does not specify the affordability ranges for mixed income housing. Consideration must be given to all ranges, and in particular to the moderate- and middle-income brackets of affordability to ensure a full and broad socioeconomic spectrum populates the community.
- As was noted at the top of this letter, tenant rights and strong protections must remain in place and indeed be enhanced given the potential relocation of up to 120 families based on the proposed development scheme and timeline. Ideally, residents move only once into their new home and displacement of any kind, including of non-profit and existing facilities, is prevented.
- Of critical importance is housing for seniors and those aging in place in their homes. Senior housing should be considered and specific purpose-built senior housing that is ADA accessible, and includes common public space located within the buildings and social services, should be studied across all proposed alternatives in the DSOW. Certain buildings in Elliott-Chelsea are already designated Naturally Occurring Retirement Community (NORC’s), with New York State supportive services through the Hudson Guild. Currently this option is not provided for either the Fulton or Elliott-Chelsea campus.

DRAFT SCOPE OF WORK

Outlined Alternatives

⁴ <https://wherewelive.cityofnewyork.us/>

The DSOW calls for the studying four (4) alternatives for the DEIS. Below are additional actions we request be studied as a part of each alternative.

F.2.1 ALTERNATIVE 1: NO-ACTION ALTERNATIVE:

In addition to taking up each of the 20 points of Affected Environment and Environmental Consequences in detail, which are further outlined below, MCB4 also asks that the study include naturally occurring displacement and extend the study date to 2050.

F.2.2 ALTERNATIVE 2: REZONING ALTERNATIVE:

The current zoning, R8, has a 6.02 maximum FAR. NYCHA and the pact partner will seek land use approvals through the NYC Uniform Land Use Review Process (ULURP). The anticipated ULURP actions will include a zoning map amendment to establish a R-10 zoning district allowing a 10 FAR bonusable to 12.0 floor area ratio (FAR) within 100 feet of avenues and 8.0 FAR along mid blocks beyond 100 feet of avenues. A commercial overlay for retail and supermarket uses. A zoning text amendment designating project sites as Mandatory Inclusionary Housing (MIH) areas. And a large-scale general development special permit allowing flexible floor area distribution and building location.

This will result in 15 new buildings with the tallest being 39 stories, 5,510 total dwelling units consisting of 2,056 project-based Section 8 units (full replacement of existing NYCHA units) and 3,454 new dwelling units (1,038 affordable + 2,416 market-rate), a community facility space, full replacement of existing outdoor space, additional space for daycare, medical offices, local retail, and supermarkets and one additional parking space at Fulton Houses.

In addition to taking up each of the 20 points of Affected Environment and Environmental Consequences in detail we will also ask that:

- No development should proceed without public review, including any As of Right demolition.
- No reduction in current number, apartment distribution, or total square footage of NYCHA dwelling units. MCB4 requests the current preponderance of units for large extended families, especially 4 and 5 bedrooms be maintained.
- All parking be sited underground.
- MIH units be distributed throughout at least 80% of the building.
- Increase grocery store square footage, including back of house and loading space.
- Medical offices must be operated by a not-for-profit, public, or federally qualified healthcare facility.

F.2.3 ALTERNATIVE 3: NON-REZONING ALTERNATIVE:

Development permitted under current site conditions resulting in 17 new

buildings, the tallest of which is 39 stories, 3,839 total dwelling units of which 2,056 project-based are Section 8 units (full replacement of existing NYCHA units) and 1,783 new dwelling units (536 affordable + 1,247market-rate). A Community facility space, additional space for daycare, medical offices, local retail and supermarkets, full replacement of existing outdoor space and one additional parking space at Fulton Houses.

In addition to taking up each of the 20 points of Affected Environment and Environmental Consequences in detail we will also ask that:

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- All parking be sited underground.
- MIH units to be distributed throughout at least 80% of the building.
- Increase grocery store square footage, including back of house and loading space.
- Medical offices must be operated by a not-for-profit, public, or federally qualified healthcare facility.

F.2.4 ALTERNATIVE 4: NO SIGNIFICANT ADVERSE IMPACTS ALTERNATIVE:

While MCB4 has no additional asks outside the 20 outlined Affected Environment and Environmental Consequences, we note it's highly unlikely there will be No Significant Adverse Impacts

Additional Alternatives for Study

The proposed alternatives are rather banal and devoid of creativity, learned experience, or progressive thinking as it relates to how the City of New York uses its land. Accordingly, MCB4 requests the following alternatives also be studied in accordance with the 20 Affected Environment and Environmental Consequences.

F.2.5. PROPOSED ALTERNATIVE 5:

Evaluate the previously agreed to work through the CNWG plan, which was full building renovation via the PACT/RAD agreement.

F.2.6. PROPOSED ALTERNATIVE 6:

Evaluate a plan that studies a combination of renovation and infill via new construction.

Both the Fulton and Elliot Chelsea campuses already have “infill” buildings, developed as part of affordable housing commitments by New York City under the West Chelsea Points of Agreement (WCPOA) through the West Chelsea rezoning.⁵ This study should explore a combination of renovation of some NYCHA buildings, potential-demolition of other NYCHA buildings, and a series of infill buildings which would bring additional housing and help pay for the renovations and new construction.

F.2.7. PROPOSED ALTERNATIVE 7:

Evaluate a plan that studies a new site plan which would reduce the height on the avenues and shift height to the middle of the block. Relocating height and bulk to the midblock will preserve site lines, mitigate shadow and light concerns, and create a more cohesive campus.

Given the Chelsea Historic District assets that surround FEC, greater consideration should be given to the contextual placement of the buildings and how they would interact, affect, and alter the built environment.

F.2.8 - PROPOSED ALTERNATIVE 8:

Evaluate a plan that studies the use of Middle-Income housing (serving people and families from 120-165% AMI) instead of just market rate housing to subsidize the renovation/reconstruction of NYCHA housing. Middle-income housing was in the original Chelsea NYCHA Working Group plan and has now been eliminated.

F.2.9 - PROPOSED ALTERNATIVE 9:

Evaluate a plan that secures permanent affordability through regulatory agreements and deed restrictions between NYCHA and the developer instead of rezoning and delivering permanent affordability through mandatory inclusionary housing, to allow a greater affordability range with no gaps in AMI eligibility.

F.2.10 - PROPOSED ALTERNATIVE 10:

Evaluate a plan that includes the creation of superblocs of the development area. Height is a significant concern, yet to increase housing this plan relies on a lot of new height that is out of character to the surrounding neighborhood. However, density could play a greater role in building more housing were superblocs to be considered: a standard practice in cities around the world. The design could also

⁵ <https://cbmanhattan.cityofnewyork.us/cb4/wp-content/uploads/sites/10/2019/08/Points-of-Agreement-West-Chelsea-Signed.pdf>

provide additional open and green space, preserve light and air on the campus and surrounding community, and preserve site lines in and around the adjacent historic districts.

The Finer Points

MCB4 finds throughout the DSOW that potential impacts are consistently understated, and language implies many things will not require study. Given the scale of this project, it's safe to assume there will be impacts large and small, and that determination should be made by studying the alternatives that have been outlined, including the additional alternatives, to inform whether something has an impact on the community or development or not.

The following comments relate to the 20 points of Affected Environment and Environmental Consequences, and they should be utilized while all alternatives are studied, including the additional studies outlined in the aforementioned section.

F.4.1 LAND USE, ZONING AND PUBLIC POLICY

No development, including those proposed as-of-right under the proposed plan, should proceed without being part of the full public review process. This will ensure there is no segmentation of the proposed project and assure a unified site plan to benefit NYCHA tenants and the community.

Extend the study area boundary to within ½ mile radius, instead of the stated ¼ mile. The same logic that stipulates a ½ mile study radius for indirect displacement should apply for the general land use and zoning actions, which only study up to ¼ mile.

Reduce height and density on the avenues and protect the character of the surrounding Chelsea Historic District.

Require analysis of 500-year flood impact (.2% annual chance flood hazard area), not 100-year since by 2040 the impact will be more significant than current regulations protect.

F.4.2 SOCIOECONOMIC CONDITIONS

Residential Displacement:

- We strongly disagree that the low percentage of residents being relocated from their existing home to temporary housing before being finally placed into their new home doesn't trigger an assessment of direct residential displacement. (p.29) The 6% being temporarily relocated are senior citizens, and greater consideration should be given to that population given their needs and the challenges that come

with relocation. The disruption to the lives of a vulnerable population is significant and merits further study. The EIS must study the impact of relocating senior citizens with unique social service needs; and urge the study of a new construction timetable to leave the majority of senior citizens out of the displacement plan. We reiterate how critical it is that purpose-built senior housing be included in the study.

- There is potential for a displacement of population by 2040 in a major NORC (Naturally Occurring Retirement Community) named Penn South that exists within a ½ mile radius of the study parameters. The aging population in that campus is likely to be replaced by a younger generation which will have a significant impact on the community. We urge that the EIS study the impact of the aging-out of residents in Penn South and the impact on the community's demands on community facility space and public infrastructure needs.
- An analysis of population growth should be conducted, including proposed and potential development of sites within the ½ mile radius inclusive of any residential developments through 2040.
- We ask for a study of displacement if no development occurs in addition to a study of displacement if Alternative 2 (Rezoning Alternative) occurs.

Business and Institutional Displacement;

- With significant proposed changes in land use, businesses will also be affected or displaced. The study should include how legacy businesses will be affected by the development; how new residents could affect existing and new businesses, as well as understand how an increase in market-rate housing could drive up costs further for goods in the community.

F.4.3 COMMUNITY FACILITIES AND SERVICES

School Analysis:

- School demand should include all planned development proposals within School District 2, not just the addition of the NYCHA Dwelling Units.
- Study how the potential displacement of families will impact school enrollment, which is tied to funding, at two or more elementary schools in Chelsea. Assess how a potential loss of funding will affect enrollment through the study period, including if new development occurs, and assess the implications of school enrollment with the potential addition of approximately 3,500 new housing units.
- Assess the impact of development on the cultural, racial, and economic diversity of schools in Chelsea.

- Conduct a comprehensive analysis of noise levels, air quality, and other environmental factors that could potentially affect neighboring schools, including Quest to Learn (M422), Hudson High School of Learning Technologies (M437), Humanities Preparatory Academy (M605), James Baldwin School (M313), Landmark High School (M419), Manhattan Business Academy (M392), Hudson Guild Children's Center and Chelsea Prep (PS33), which are both adjacent to the demolition and new construction on West 26th Street.
- Build a new school for PS33 Chelsea Prep Elementary School within one of the planned buildings as part of the redevelopment project, while considering factors such as space availability, infrastructure challenges of the existing building, and the educational needs of the local Community. Or allocate capital improvements funding for the PS33 to upgrade its building components in disrepair, such as auditorium, plumbing systems, bathrooms, and classroom interiors.
- Maintain accessibility of the PS33 playground to the local community during weekends.

Community Facilities:

- Any temporary relocation of community facilities is significant and MCB4 strongly disagrees with the disregard for that displacement via the DSOW. (p.32) The current community facility, Hudson Guild, not only provides services across FEC, but also serves the larger Chelsea and Hell's Kitchen community. Their work includes youth programs, after-school programs, senior citizen programs and supportive housing services, and is a vital provider of social and community services in the entire MCB4 district. Any disruption, fragmentation, or reduction in these services due to temporary relocation will have a negative impact on the community and should be studied. The current proposal seeks to temporarily relocate the Hudson Guild off-site from the Elliott-Chelsea campus during redevelopment. If alternative sites are explored and determined a requirement, proximity to the existing services must be within a two-block radius.
- We urge that the EIS study an alternative to building a new community facility prior to closing the existing facility.
- Please add the word guarantee when referring to the return of Hudson Guild, as you do when you are referring to residents.

Health Care Facilities:

We strongly disagree that the proposal's potential to add 3,500 dwelling units will

have no significant adverse impact on the community. (p.32) With the planned closing of Beth Israel Hospital, Chelsea will lose its closest and only remaining ER. The study must include the potential impact this will have on the community, and the capacity of the hospitals to the north and south who will absorb the population.

F.4.4 OPEN SPACE

MCB4 objects to the presumption that “a detailed open space analysis is warranted for the residential population only.” (pg. 35). The proposed development will reduce the amount of greenspace on the existing NYCHA campus which is not included on maps because it is not parkland or a publicly owned private space. NYCHA publicly owned public space must be included in this study. Furthermore, Chelsea is not only a residential community, and far more than the “residential population only” will be affected by the plans, or lack thereof, for open space. The study should encompass all users of open space, and not just the residents.

We find the maps on p.36 of the DSOW insufficient to determine how much open space will be lost to the proposed development. Please provide more detailed maps which acknowledge existing open space within the project footprint.

Any building moving forward should incorporate green and cool roofs as this is now the minimum standard in sustainable building.

The proposed plans must design for and plant a robust street and campus tree canopy and provide connectivity throughout the campus with a pedestrian-oriented design with vibrant, safe, and well connected outdoor spaces.

The summary does not explicitly mention the fate of the basketball court on the Fulton Houses Campus. Please include.

F.4.5 SHADOWS

The redevelopment sites are near and adjacent to "sunlight sensitive" open spaces and historic resources and will contain within open spaces reconfigured from the existing NYCHA open spaces. Since the proposed new construction will create buildings up to 39 stories (over 50 feet in height), over three times the height of many existing structures, the EIS must examine the shadow consequences. It can do this in three phases, the need for the second dependent on findings in the first, the need for the third dependent on findings in the second. If the findings of the assessments necessitate it, the EIS must elaborate mitigation measures.

Provide detailed daylight and sun studies with regard to the effect on PS33 classrooms, rooftop, and school yards. The proposed 39 story building will block natural light to the school building which is crucial for students' health and wellbeing. The proposed new

buildings to the south of the school should be low rise to limit the effects of shadows, and building materials should not create adverse effects such as glare.

F.4.6 HISTORIC AND CULTURAL RESOURCES

Historic Resources:

The Draft Scope of Work cites several designated New York City landmarks and historic districts (NYCL) and buildings that are listed or eligible for listing on the State and National Registers of Historic Places (S/NR). The analysis must provide three-dimensional aerial views of the project options and surrounding areas highlighting these and including all buildings within a 400-foot radius of the project sites. This would be helpful in understanding the impact of design options on these historic resources. Apply shadow studies described under Section F.4.5 to the 3D images.

As noted, the area includes individual landmarks and historic districts, as well as areas being considered for further landmark designation, including the Bayard Rustin Educational Complex which the Draft Scope of Work cites as SN/R-eligible. Similarly highlight this area in the aerial views, along with the few non-listed or -designated but historically or architecturally significant sites listed below.

Specifically, provide isometric views of each project site from the nominal northeast, northwest, southeast, and southwest (adjusted for the street grid's 29-degree rotation), labeling and color coding:

- project sites and buildings in color 1;
- NYCL in color 2;
- S/NR-listed or -eligible in color 4;
- buildings and historic-district areas that are both S/NR-listed or -eligible and NYCL in color 5; and
- other historic buildings identified below in color 6:
 - the five Greek Revival row houses at 452-460 W. 25th Street;
 - the Chelsea Health Center building at 303 Ninth Avenue; and
 - the paired tenement buildings at 110 Ninth Avenue and 363 West 17th Street.

Provide S/NR descriptions of all listed and eligible buildings and historic districts, including the SN/R-eligible Elliott-Chelsea Houses Project Site buildings.

Two important groups of Greek Revival row houses may be particularly impacted by the project options and deserve additional consideration: Cushman Row at 408-418 West 20th Street; and the group of houses at 437-459 West 24th Street. Cushman Row in the Chelsea Historic District is considered of national importance and one of New York's two most significant ensembles of Greek Revival houses (along with those on the north side of Washington Square), and 437-459 West 24th Street were designated individual New York

City landmarks in 1970. Adding to their sensitivity, Greek Revival row houses are Chelsea's signature historic building type and speak of its original development as a genteel residential community. The tallest current Fulton Houses buildings fall just short of being visible above Cushman Row. Current Elliott-Chelsea Houses buildings are likewise not visible above 437-459 West 24th Street. We ask that the areas where project alternatives rise into the zone of visibility above the rooflines of these two groups are highlighted, applying a line of sight from six feet above the far side of their opposite sidewalks.

Cushman Row is also in the area of the Chelsea Historic District that is contiguous with the Fulton Houses development site. Provide an action plan showing how buildings in this zone will be protected from construction impacts including vibration and increased flood risk from loss of permeable ground surface.

One of the greatest potential impacts on historic resources is their visual diminishment by incongruously large new neighbors. To aid in evaluation of this, provide photomontage street views of all project-adjacent streets and avenues from opposite compass points showing the full project frontages on both sides. For the Elliott-Chelsea alternatives: also provide views facing 437-459 West 24th Street from the far side of the opposite sidewalk; and facing north from the intersection of Tenth Avenue and West 24th Street. For the Fulton Houses alternatives: also provide views facing Cushman Row on West 20th Street from the far side of the opposite sidewalk; facing south from the intersection of Ninth Avenue and West 21st Street; and facing north from Ninth Avenue below West 15th Street capturing the Ninth Avenue frontages of Chelsea Market and 111 Eighth Avenue.

The DEIS also states all Elliott-Chelsea buildings are eligible for State and National Register of Historic Places (S/NR eligible). We ask to Include studies of how certain portions of that campus can be gut renovated and retained and provide contributions to project financing through use of Historic Preservation Tax Credits.

F.4.7 URBAN DESIGN AND VISUAL RESOURCES

View considerations should be made from sidewalks, the High Line, and current residences in West Chelsea specifically for the Empire State Building and Hudson River.

Provide photographs of residential Manhattan streetscapes with buildings of similar scale

to the proposed alternatives, including Sixth Avenue between West 24th and 28th Streets, and Third Avenue between East 58th and 65th Streets, indicating the height of shown buildings over 25 Stories.

Provide Sustainable Design Criteria and design for the entire development in both project locations.

Study increased sidewalk widths along avenues and setbacks along with more accessible pedestrian flows and facilitation for ADA compliance.

F.4.8 NATURAL RESOURCES

Required study of this topic will occur.

F.4.9 HAZARDOUS MATERIALS

An asbestos remediation plan should be instituted, and an emergency exposure plan should be prepared for all residences within the 1/2-mile radius.

There is evidence of lead in and beneath painted surfaces in many of the apartments within the Project Sites. A federal monitor is actively involved in getting the problem resolved. Mold is likely to exist behind every wall that covers water pipes and drainpipes because of the history of leaks throughout nearly every building. These are hazardous materials whose impacts should be specifically identified along with the health risks that they pose in each of the four alternative scenarios presented in the EIS.

The risks are greatest in the demolition phase of the Proposed Action because of the amount of dust and debris that will be produced. This is a long-term condition that will exist for many years and should be addressed with enhanced air quality monitoring, netting, and proper waste storage and disposal.

Rooftop water towers are present on all the buildings in the Project Sites. These water tanks are drained and cleaned every six months at Elliott-Chelsea. The water is tested for contaminants and bacteria that include Legionella which causes Legionnaires disease. It is common to find dead birds and rats in these tanks and that is the reason they are cleaned more often than is usually required by the City. Legionnaires disease results from the inhalation of mist or droplets from contaminated water. The demolition contractors who work on the demolition phase of the Project must adhere to the protocols that recognize the dangers that might exist in the water tanks that they will be deconstructing.

F.4.10 WATER AND SEWER INFRASTRUCTURE

The increased number of HU's will impact water and sewer infrastructure. Therefore, the study must include:

Wastewater and Stormwater

- Mitigation for protecting against flood water intrusions as well as surge removal plans.
- Systems for stormwater retention, bioswales, and permeable building materials vs. the current standard.

Water

- Incremental demand is below the CEQR threshold of 1,000,000 gallons but is not insignificant as part of our overall district's potable water use. The study should still take up the demand, given the change in demand for local infrastructure.

Sewage

- The need to assess wastewater and stormwater conveyance systems is not just incremental assessment (p.42), but an evaluation of additional water demand and therefore additional available capacity of the North River Plant. The Plant takes 125 million gallons per dry day, but as much as 340 million on wet days. Its design capacity is 170 million gallons per day. Keeping storm water, even incremental amounts, away from the plant is necessary and should be studied.
- As the proposed project is not far from the estuary, we require an evaluation of diverting stormwater away from the sewage system, including piping it into the estuary should this happen.

F.4.11 SOLID WASTE AND SANITATION SERVICES

The increased number of HU's will cause a significant increase of waste. Therefore, the EIS must include:

- Current and anticipated waste generation.
- Mitigation measures to minimize waste at the point of generation, increasing the amount of waste that will be recycled, mandatory onsite composting, also increasing the capacity of the local waste management infrastructure that will likely be overburdened by this project, not limited to carting services, timing of pick-ups and sealed trash containers to minimize rodent control.
- Enhance recycling and composting beyond what is required.

This is a total redevelopment of a dense, urban area which is an optimal opportunity to install the latest waste removal methods. MCB4 expects the study to include new means of waste management and study the placement of waste all being inside buildings, large scale compacting, pneumatic tubes, enhanced recycling tactics, and waste monitors throughout the campus.

F.4.12 ENERGY

Energy use requires a description of alternative energy availability, including solar, geothermal, and best energy building operation practices beyond what is required by law.

Careful consideration and specific calculation needs to be thoroughly conducted on today's usage, vs the anticipated use, and burden on the current infrastructure as well as the proposed infrastructure. This should include a detailed assessment of the estimated amount of energy that would be consumed annually because of the day-to-day operation of the proposed buildings, including all supporting infrastructure and their uses.

Study the overall projected energy consumption during long-term construction, and the final overall long term daily use of this operation, based on real examples of similar projects.

Con-Edison's ability to recycle heat for the proposed development is theoretical (p.44). We do not know how long it will be before such a plan will be realized and implemented, if ever. Therefore, we ask that all alternative options be studied.

Of major importance is the implementation and integration of Green Roofs for wider energy reduction options. It must be examined how green roofs affect urban energy consumption and climate conditions, reducing energy consumption and costs significantly in the proposed development area. Among other things, green roofs reduce water flowing into sewers, reduces carbon, creates jobs, which in turn supports the community.

Depending on sunlight based on the building and open space plan, fully solar lighting on the outdoor pathways should be a part of the study.

F.4.13 TRANSPORTATION

Intersection with Major Upcoming Projects

- Understanding Tomorrow's Transportation Disruptions: Study the potential impacts of the Fulton and Elliott-Chelsea Houses Redevelopment Project alongside initiatives like the Gateway Project, the Port Authority Bus Terminal Replacement, the 9th Ave "super sidewalk" project, and the 10th Avenue Upgrade, featuring an extra-wide protected bike lane, warrant analysis. A cumulative study should evaluate how these projects affect local transportation networks, accessibility, and community welfare.

Cumulative Impact Analysis for Congestion Studies

- 9th Avenue (14th to 28th Streets) Cumulative Study: A comprehensive congestion impact study on 9th Avenue, spanning 14th to 28th Streets, is essential. This study should focus on traffic, noise, and environmental implications during both peak and off-peak hours.
- 10th Avenue (23rd to 34th Streets) Cumulative Study: An extensive analysis of 10th Avenue, from 23rd to 34th Streets, is necessary to understand the expected alterations in traffic patterns, noise pollution, and air quality. Please note that peak and off-peak hours should be examined, underlining the impact of redevelopment on the current state.
- Based on the NYC Pedestrian Mobility Plan: Given the projected growing

population and increased pedestrian traffic caused by commercial activity, consider the benefits of widening the sidewalks along 9th Avenue and 10th Avenue (from 14th to 30th Streets). A comprehensive analysis of this issue and potential mitigation measures should be included within the EIS.

Housing, Retail, and Transportation Interplay

- Housing Units and Resident Dynamics: Accurate and current projections of housing units and demographics are vital, focusing on the balance between affordable and market-rate housing. Understanding how demographic shifts will influence local transportation patterns is essential.
- Retail Expansion and Traffic Generators: The introduction of additional retail spaces and amenities, such as healthcare centers and grocery stores, necessitates an examination of their role as traffic generators. Developing strategies to mitigate potential congestion and manage the increased pedestrian and vehicular flow is crucial.

Construction and Post-Construction Impacts

- Shared Streets: We propose including a detailed analysis of the feasibility and benefits of integrating shared streets within the project's framework. Shared Streets prioritize pedestrians, lower vehicle speeds, and create versatile public spaces. Shared Streets present a unique opportunity to enhance our community's livability, safety, and environmental sustainability.
- Construction Traffic Management: We seek detailed plans for managing construction-related traffic, emphasizing minimizing disruption and ensuring resident safety.
- Resident Displacement Logistics: We request strategies for managing the logistics of temporary resident displacement to avoid additional local traffic stress.
- Public Transportation Mitigation: We advocate for a collaborative plan with the MTA to address potential delays and overcrowding on local bus routes.
- Infrastructure Enhancements: We call for targeted pedestrian and cyclist infrastructure upgrades, focusing on safety and accessibility.

Parking

- Rethinking Parking Space: Please explore the feasibility of incorporating ample, secure bicycle parking and electric bike charging stations within the underground parking area.

Special Consideration for Senior Citizens on 27th Street

- The Chelsea Addition, dedicated to senior citizens, requires a targeted analysis of how increased traffic on 27th Street might impact accessibility, safety, and the quality of life for our elderly residents. We urge you to ensure that redevelopment efforts do not adversely affect them. Please include 27th Street in the Shared Street analysis

School Bussing:

- A study of the impact of bussing on any student directly or indirectly displaced so

they may remain in their home school should take place.

- A detailed traffic study so as not to disrupt school bus operation during construction of PS33 as hundreds of students, including special education students, commute to school every day.

F.4.14 AIR QUALITY

Regarding air quality, the NOIS and DSOW are inconsistent. The Draft Scope of Work is blunt in its assessment that there is *"No significant adverse air quality impacts would occur from stationary sources associated with the proposed action,"* (p.50) and then immediately follows that sentence with, *"However, the existing NYCHA boiler plants serving Elliott and Chelsea Houses will be evaluated to assess the potential for interim air quality effect..."* In addition, the Notice of Intent in the section labeled, 'Probable Environmental Effects' (p.10), states that *"Due to the increase in the number of residents and expansion of the built environment could have the potential for significant environmental impacts"* in several areas to be addressed by the EIS including Air Quality. We ask that the line "No significant adverse air quality" be struck from the Draft Scope.

It is also worth noting that the land surrounding the Elliott-Chelsea Houses Project Site (Notice of Intent, p.5) includes a US Postal Service Vehicle Maintenance Facility and a Department of Sanitation Repair Shop. We are especially sensitive to the impact of the existing "mobile sources" of air pollutants and the additional ones brought on by construction. According to the Environment and Health Data Portal, Chelsea-Clinton is identified as having WORSE outdoor pollutants (except Ozone), heating fuel admissions, outdoor air toxics, and traffic density compared to other neighborhoods.⁶

We are concerned with the effects of tree loss and ask that comparative figures for each alternative and the time required to achieve full carbon absorption be provided.

F.4.15 GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

The baseline measures for greenhouse gas emissions and climate change study are wholly insufficient. Given the state of the world we find ourselves in, with extreme weather examples occurring around the world, the effects of climate change are at our doorsteps and shores, literally. Greater study and consideration must be given to these factors.

Greenhouse Gas Emissions:

According to the Draft Scope of Work (p.51), the planned analysis will include 'Consistency with City's GHG Reduction Goal' and then offers a caveat- *"While the City's overall goal is to reduce GHG emissions by 30 percent below 2005 levels by 2025, individual project consistency is evaluated based on [a variety of factors.]"* Due to the massive scope and size of this project - and the above air quality issues - We ask for an

⁶ Environmental and Health Data Portal: https://a816-dohbesp.nyc.gov/IndicatorPublic/neighborhood-reports/chelsea_clinton/outdoor_air_and_health/

absolute commitment to the GHG reduction goal of 30 percent below 2005 levels by 2025, at a minimum.

- We require adherence to LL97 end goals and make all buildings net zero upon completion.
- All power, including heat and hot water, should be generated by electric and/or on-site, self-sustaining green energies with naturally occurring resources (solar, wind, etc.). The use of electricity has a lower carbon content per unit of energy than other fuels reducing greenhouse gas emissions.
- Implement Green Roofs. These would give residents urban green space in a neighborhood with hardly any. Perhaps more importantly, these spaces will provide clean, open areas to help mitigate the short-lived climate pollutants in an area that registers some of the worst air pollution in the city.
- We also request that a rooftop stormwater management plan be included in the study.

Climate Change:

It is absolutely critical that the most up-to-date data related to climate change is used in the EIS response, and that there is absolute clarity about the efforts made to ensure the safety of residents in/around the floodplain. According to the DSOW (p.51), *"portions of the Project Sites are located within the 0.2 percent annual chance floodplain."* Yet there is data that is conflicting.

- According to FloodhelpNY, the main address for Fulton Houses is "currently in a minimal hazard zone, but it may change to a moderate risk zone."
- According to the Community Risk Dashboard, Chelsea-Clinton-Hudson Yards is identified as a "1% Annual Chance Floodplain." *22% of the land in this neighborhood is identified as in the floodplain. Upon further inspection, if you note the chart below, 22% of the area is in the floodplain and noted as "Highest Risk." However, you can see the large area in the district noted as "High Risk."*
- According to the dashboard, 4% of the population lives in the floodplain, 3% reported a disability, 12% live below the poverty line, 5% are 65 and older, and 5% are children under 5.
- The above Community Risk Dashboard is noted as "undergoing major updates until May 2024."

We reiterate our request for an analysis of 500-year flood impact, and that the EIS states the sources from which it is relying on to make its impact determinations.

We require a survey of all existing mature trees on the project sites and calculate their total carbon absorption based on size and species. The effects of tree loss should be factored into adverse impacts under Section F.4.14, Air Quality. Provide comparative figures for each alternative and the time required to achieve full carbon absorption.

We seek an analysis of each alternative's impact on urban heat-island effect.

And MCB4 asks that the study look at the resource (carbon in particular) savings of the new multifamily dwellings in the rezoning and non-rezoning options when compared with the average footprint of someone living in a single-family home in the region.

F.4.16 NOISE

Noise should be considered to be one of the most impactful aspects of the proposed project. It is especially important given the students of PS 33 which sits right beside the Chelsea Addition, students at the Avenues School on 10th Avenue, the children who attend daycare at the Elliott Center, the young people who use the Chelsea Recreation Center on West 25th Street across from the Elliott-Chelsea Houses, and the public at large.

This project is estimated to take ten years to complete. Therefore, in addition to the sites and times of study in the DSOW, noise should also be studied from inside the classrooms and activity centers of the locations mentioned above during school and recreation hours. Noise should also be studied from the Highline during various times of the day.

The DSOW acknowledges that the redevelopment sites "are located in areas with high ambient noise levels." Its focus is on noise generated by projected increases in vehicular traffic once the buildings are completed; and on noise within the buildings themselves. It does not seem to concern itself with noise associated with the construction process because the "mechanical equipment" used outdoors has its own existing noise abatement requirements. (p.51) We ask for a detailed analysis of potential noise impacts due to outdoor mechanical equipment for both the residents of NYCHA and the adjacent Chelsea community. The nature of this project has multiple phases and would therefore be potentially disruptive to the community for many years.

F.4.17 PUBLIC HEALTH

The public health impacts that are associated with the Project are mainly due to the hazardous materials that will be present during demolition and construction. Air quality monitoring and reporting must consider the large population of residents around the Project Sites and those who visit the area for work and recreation.

Chelsea Park and PS 33 should be given special attention because of their proximity to the proposed development project. The EIS should focus on the best ways to shield both the park and the school from demolition dust and the pollution caused by construction equipment and vehicles.

We renew our concern of NOISE on the public health of the community, emphasizing schools adjacent to the development sites.

The Rezoning and Non-Rezoning Alternatives both include medical offices for the Project Sites. A study should be made of resident preferences as to the types of medical practices that will occupy these offices. Given the high number of children and seniors

who live there, it may be that pediatric and family medicine are preferred. There might be a preference for nonprofit organizations over private facilities because of the likelihood that a wider range of health insurance might be accepted.

Any proposed health care facility must be a non-profit provider tied to a hospital network based in New York City.

F.4.18 NEIGHBORHOOD CHARACTER

The Fulton Houses NYCHA plan as it stands today will have a major impact on historic streets. Notably, 20th Street between Ninth and Tenth Avenues, is within the Chelsea Historic District.

In the NYCHA Plan the 19th Street seven story building that backs up onto the rear yards of the famous Cushman Row is slated to be demolished and replaced with an 11 story building, (plus mechanicals) which will block light and air from the south facades and rear yards of 402 through 424 W 20th Street, especially in the long winter months as the sun passes low on the horizon. This is a major degradation of the historic block, permanently obliterating a feature these houses have enjoyed for nearly 200 years.

The Ninth Ave blocks, 18th to 20th Streets are lined on the east side with historic three- and four-story townhouses with local shops at the ground floors. The NYCHA plan currently intends to build non-contextual high-rise buildings of 37 and 39 stories, directly opposite these 19th century houses on the Avenue, dooming them permanently to a life in shadow.

If towers must be built, they should be located as now, in the middle of the blocks.

Bringing market rate housing into the middle of public housing buildings could have an adverse impact on small local businesses that operate on Ninth Avenue and cater to NYCHA residents. We request that the potential effects be studied, and conversely, how a change in economic incomes would benefit existing and new businesses in the area.

F.4.19 CONSTRUCTION

Mitigation:

We ask for a comprehensive analysis and mitigation of noise levels, air quality, and other environmental factors that could potentially affect neighboring schools, including Quest to Learn (M422), Hudson High School of Learning Technologies (M437), Humanities Preparatory Academy (M605), James Baldwin School (M313), Landmark High School (M419), Manhattan Business Academy (M392), Hudson Guild Children's Center and Chelsea Prep (PS33), which are both adjacent to the demolition and new construction on West 26th Street. As well as Chelsea Park, and Chelsea recreation center.

Study how construction will impede access to community and facility space, such as

Chelsea Park, and outline mitigation.

Green Build:

To meet the expectation of Green Build, all power, including heat and hot water, should be generated by electric and/or on-site, self-sustaining green energies with naturally occurring resources (solar, wind, etc.). The use of electricity has a lower carbon content per unit of energy than other fuels reducing greenhouse gas emissions.

We request a study of Green Roofs. These would give residents urban green space in a neighborhood with hardly any. Perhaps more importantly, these spaces will provide clean, open areas to help mitigate the short-lived climate pollutants in an area that registers some of the worst air pollution in the city.

Low carbon and carbon negative building materials should be used in construction.

Consider measures to protect harming birds during migration and reduce energy use, bird-friendly glass and windows with a frit-dot pattern should be used in all buildings, and non-essential outdoor lighting should be turned off between 11PM and 5AM to reduce light pollution which disrupts migration patterns.⁷

We request the use of a combination of permeable pavement and bioswales to reduce runoff volumes of rainwater and melting snow. This low cost, less labor-intensive and environmentally-friendly approach will help alleviate street drainage systems, aid in stormwater separation and filter pollution.

Study a design for dense above street and vertical greenery. This will provide both important environmental benefits and a pleasing aesthetic.

F.4.20 ENVIRONMENTAL JUSTICE

Required study of this topic will occur.

CONCLUSION

The proposal to transform the FEC campuses into replacement NYCHA housing and bring an additional 3,500 units of mixed income housing to Chelsea is tremendous. Indeed, so is this response.

And while MCB4 has responded to what it knows, there is still much to be discovered about this proposal, and exactly how it will materialize.

⁷ <https://www.nysenate.gov/legislation/bills/2021/S7663>,
<https://www.nysenate.gov/legislation/bills/2023/S7098/amendment/A>

We recognize that the living conditions for far too many NYCHA residents on the FEC campus are deplorable and wholly unacceptable for our neighbors. The current state of NYCHA is an embarrassment for the City of New York, though the fault lies at the feet of all levels of government after decades of disinvestment and disregard for public housing, not just local mismanagement. Time is not on anyone's side, given how long the conversation has already occurred on this topic.

But such a transformative proposal cannot be taken lightly, nor without robust discourse, engagement, and a recognition that no final product looks as it did upon its first unveiling.

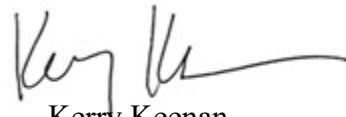
MCB4 is no stranger to significant land use actions, having seen a neighborhood literally built atop a railyard; watched former warehouses transform into luxury apartments in exchange for what is now the High Line; and witnessed waterfront revitalization of derelict piers into green jewels jutting into the Hudson. And throughout all these processes, we've learned.

MCB4 remains a willing partner in evaluating these proposals. We look forward to continued dialogue with NYCHA, HPD, Related and Essence in the further development of the DSOW as this moves towards a DEIS.

Thank you,



Jessica Chait
Chair
Manhattan Community Board 4



Kerry Keenan
Co-Chair
Chelsea Land Use Committee

CC: Hon. Eric Adams, Mayor
Hon. Jerrold Nadler, U.S. Congress
Hon. Brad Hoylman-Sigal, State Senator
Hon. Tony Simone, State Assembly Member
Hon. Mark Levine, Manhattan Borough President
Hon. Erik Bottcher, City Council
Jonathan Gouveia, Executive Vice-President for Real Estate Development, NYCHA
Jamar Adams, Managing Principal, Essence Development
Greg Gushee, Executive Vice President, Related Companies