

Marisa Lago
Executive Director & Chair
New York City Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271



September 3, 2020

Dear Director Lago:

As New York City prepares to resume the Uniform Land Use Review Procedure (ULURP), members of the [Gowanus Neighborhood Coalition for Justice \(GNCJ\)](#) have serious concerns about how the Department of City Planning (DCP) will facilitate equitable participation for local stakeholders and provide an informed, safe and transparent review process.

Particular attention needs to be paid to engaging the many New York City Housing Authority (NYCHA) residents who have been actively involved in the planning discussions in Gowanus. The phrase “disproportionate impact of the pandemic on communities of color” has become a catch phrase that threatens to obscure it’s actual meaning — a soul draining experience of loss of family, friends and economic security that has been compounded by the energy needed to step into functions like food and water acquisition and distribution, as well as dealing with NYCHA-specific problems such as failure of cooling systems, electrical failures and water and gas shutdowns. These disproportionate impacts call for comparative efforts to engage, listen to, and actually address the needs and concerns of residents of Wyckoff Gardens, Gowanus Houses and Warren Street Houses¹, in the Gowanus land use process.

We ask that the City take the following three actions before starting the Gowanus rezoning ULURP:

1.) **Release the Draft Environmental Impact Statement (DEIS) at least two months before starting the ULURP clock.** There is no legal reason that the release of the DEIS and start of ULURP need to happen at the same time — historic precedent does not serve well in an unprecedented time of crisis. In order to ensure that the community is adequately informed and engaged, the City should release the DEIS at least two months before starting ULURP to give the community ample time to understand the environmental impacts of the proposal, how the City plans to mitigate impacts, and how responsive City Planning has been to the community’s comments on the draft plan to date.

¹ Warren Street Houses is no longer public housing.

A DEIS is not an easy document to read for people not conversant in planning language and acronyms, and many of us need time to go line by line, and require assistance in accessing the document, or ensuring its contents are properly translated. Providing additional time to review the DEIS is a commitment to transparency and more equitable engagement in this critical process.

This Pre-ULURP period should include public meetings, accessible both physically (in a safe manner) and virtually, where the City presents DEIS findings and the community has an opportunity to suggest changes before ULURP begins. It would give stakeholders an opportunity to look for changes from the initial scope of work, particularly with respect to those demanded by neighborhood stakeholders such as GNCJ. It would likewise provide the opportunity to gauge the City's responsiveness to requests for more information about sewage and stormwater management, the inclusion of desperately needed funding for NYCHA capital repairs, a definition of the Gowanus Mix use groups, the impact on the Industrial Business Zone (IBZ), and the request for on-going community engagement and oversight through the inclusion of a structure such as an Environmental Justice Special District.

2.) Provide an improved and expanded virtual engagement process to address the above issues and for additional opportunities to provide comments and public testimony.

We are currently witnessing a historic community conversation around how to safely re-open schools and use outdoor spaces to foster effective education. This conversation has centered on the need for equitable access, and an understanding that virtual learning works for some children and their parents, but not at all for others. This is no less true when we look at community engagement in reviewing and commenting on major zoning changes whose impacts will be felt for generations.

We recognize the work that the City has done through NYC Engage to provide access to virtual public meetings. However, while some members of the community have become fluent in on-line discussions (and use of on-line petitions, twitter hashtags, and other social media), the virtual world is out of reach for others due to lack of equipment, Internet access or experience.

Additionally, our attendance via NYC Engage at City Planning Commission sessions highlighted problems - some of which can be easily addressed and others that require more attention. Issues included problems with audio, presentation slides with excessive text that are difficult to read (especially when viewing documents or using anything smaller than a computer monitor), difficulty identifying speakers other than NYC Department of City Planning staff (visually, by name, and by organization/affiliation), no indication of the number of people participating in the public meeting virtually, nor identification of who they are as individuals.

There are times when we have not been able to log into the session or have lost connection with no assistance in getting back in the session. The webinar style is totally unlike the spirited

conversations the community has engaged in for the past three years and these limitations need to be corrected before ULURP starts.

The city should provide **additional opportunities and methods for the community to give comments and public testimony, including:**

- Setting up opportunities for smaller group in-person gatherings to provide public testimony during public hearings using large open spaces (parks, streets, school yards, public housing community centers) throughout the neighborhood, using screens and projectors (this technique has been frequently used at rallies and marches, where screens are set up in a variety of locations), which could be tied into additional opportunities for virtual engagement training and distribution of PPE etc.;
- Setting up places within the community for people to record testimony to be played at hearings and allowing recorded testimony to be played at hearings;
- Broadcasting public hearings on live public access television with call-in opportunities for public testimony;
- Prioritizing installation of free internet, with resident approval, at NYCHA developments in Gowanus prior to formally beginning ULURP;
- Providing tablets, internet hot-spots and training for individuals not currently able to access virtual meetings adequately;
- Allow for tech-savvy family members' to provide support for individuals whose virtual participation might be compromised and/or allow for proxy testimony.

In short, a formal ULURP process can only be scheduled when we have an engagement process that prioritizes equitable access. This process should be developed in partnership with community members, to ensure that all our neighbors are able to make their voices heard.

3.) Release data necessary for an independent Racial Impact study of the proposed Gowanus area-wide rezoning prior to ULURP certification.

We must reiterate [the world has changed and we need to address those changes](#) to ensure the de Blasio administration's vision for a thriving, inclusive, and more resilient Gowanus, particularly in the context of COVID-19 and Black Lives Matter protests, is put in practice. This means that the Black, Indigenous, and Latinx community should have priority in targeted resources and an accessible means of engagement in how the City plans to address inequities exacerbated due to recent events.

Past City-sponsored neighborhood wide rezonings have been aptly criticized for their negative impacts on people and communities of color. According to 2018 Community District 6 level data² CD6 has some of the highest Area Median Income (AMI) areas in Brooklyn, – however, this picture masks the lived reality of its NYCHA residents adjacent to the DCP study area, as well

² <https://communityprofiles.planning.nyc.gov/brooklyn/6>

as other vulnerable populations in the neighborhood. Given COVID-19's disproportionate impact on people of color, as well as the potential migration of residents due to COVID-19, there is an immediate need for updated data to further elucidate specific local trends. This data must be disaggregated from the cumulative Gowanus demographic composition by race, income, and census tract in the DEIS in order to center those disproportionately impacted by COVID-19 and systemic racism in our community.

Interagency and local stakeholder coordination should be a critical component in DCP's approach to releasing this data. In the beginning of the year, the Department of Housing Preservation and Development (HPD) Where We Live NYC team worked with GNCJ to get feedback on their plans for implementing "Affirmatively Furthering Fair Housing" recommendations. The Coalition pushed HPD to go beyond Mandatory Inclusionary Housing (MIH) options and include a local NYCHA preference in the affordable housing lottery. Plans to increase affordable housing too often have income thresholds that exclude the majority of long-term residents. For instance, the lowest AMI level reached by MIH is 40%, which means that more than 63% of households in NYCHA developments cannot meet the income threshold.³

Given the current economic crisis brought on by the pandemic, the rise in housing insecurity and the significance of up-to-date health related information, we urge DCP to collaborate with other agencies such as HPD, NYCHA and DOH (Department of Health) in the release of disaggregated data. This ensures the community and stakeholders have a comprehensive understanding of outcomes and informed decision-making in the planning process. There is no need for these processes to be separate or siloed from each other particularly as the goal is to have a comprehensive neighborhood rezoning.

Our Coalition would like to set up a meeting with DCP to discuss these recommendations further. Please contact GNCJ Coordinator Sabine Aronowsky at Saronowsky@fifthave.org or 917-657-2922.

Sincerely,

Gowanus Neighborhood Coalition for Justice (GNCJ)

cc:

Councilmembers Brad Lander & Steve Levin

Brooklyn Borough President Eric Adams

Assemblymember Jo Anne Simon

State Senator Velmanette Montgomery

Congressmember Nydia Velazquez

Community Board 6 Chair, Peter Fleming

Director of Land Use, Brooklyn Borough President, Richard Bearak

³ [GNCJ Survive and Thrive report, March 2017](#)

Director of Brooklyn Office, DCP, Winston Von Engel
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